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AN

ACT

For Granting and Continuing to

HIS MAJESTY,

AN

ADDITIONAL DUTY

ON

Beer, Ale, Strong-Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes, herein Mentioned.

G. II. R.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Most Excellent Majesty, at the *King's Arms* and *Two Bibles* in *Essex-Street*. MDCCXLIII.

AN

ACT

FOR

Granting and Continuing to His Majesty, an Additional Duty on Beer, Ale, Strong-Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes, herein Mentioned.

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WE Your Majesty's most Dutiful and Loyal Subjects, The Commons of Ireland, in Parliament Assembled, having a just Sense of Your Royal Care, for the Prosperity of all Your Subjects, and well knowing that the Security of this Your Realm, and the Continuance of the many Blessings We enjoy under Your Mild and Auspicious Reign, Depend on the Support of Your Majesty's Government, Do most humbly beseech Your Majesty that it may be Enacted;

And be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament

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liament Aſſembled, and by the Authority of the ſame, That the ſeveral and reſpective Duties and Impoſitions on Beer, Ale, Strong-Waters, Wine, Tobacco, and other Goods and Merchandizes, which, in and by an Act of Parliament, Made and Paſſed in the Firſt Year of Your Majeſty's Reign [Intituled, An Act for Granting to His Majeſty, an Additional Duty on Beer, Ale, Strong-Waters, Wine, Tobacco, and other Goods and Merchandizes, therein mentioned; And alſo, a Tax on Salaries, Profits or Employments, Fees and Penſions; And for ſecuring the Re-payment of Fifty Thouſand Pounds *Sterl.* formerly advanced to His late Majeſty for the Uſe of the Publick, together with the Intereſt thereof] were Granted unto Your Majeſty, or Chargeable in Manner therein Mentioned, from the Twenty Fifth Day of March, One thouſand ſeven hundred and twenty eight, to the Twenty fifth Day of December, One thouſand ſeven hundred and twenty nine, inclusive; And which, by one other Act, Made and paſſed in the Third Year of Your Majeſty's Reign [Intituled, An Act for Granting and Continuing to His Majeſty an Additional Duty on Beer, Ale, Strong-Waters, Wine, Tobacco, and other Goods and Merchandizes, therein Mentioned] were Continued until the Twenty fifth Day of December, in the Year of Our Lord One thouſand ſeven hundred and thirty one, inclusive; And which were further Granted and Continued from Time to Time by ſubſequent Acts of Parliament made in this King-

Kingdom, until the Twenty fifth Day of December, in the Year of Our Lord One thouſand ſeven hundred and forty three, inclusive; Be further Granted, Continued, Raiſed, Collected, Levied and Paid unto Your Majeſty Your Heirs and Succeſſors, from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and forty three, until the Twenty fifth Day of December, One thouſand ſeven hundred and forty five, inclusive. CHAP. I.

And be it further Enacted by the Authority aforeſaid, That all and Singular the ſaid Duties hereby Granted and Continued, ſhall be Raiſed, Levied, Collected and Paid unto Your Majeſty, Your Heirs and Succeſſors, during the Time aforeſaid, over and above all other Duties Payable for the ſame, by Virtue of an Act made in this Kingdom, in the Fourteenth Year of the Reign of King Charles the Second, Intituled, An Act for Settling of the Exciſe or new Impoſt, upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates, therein Inſerted; or by Virtue of one other Act, made in the Fourteenth Year of the Reign of the ſaid King Charles the Second, Intituled, An Act for Settling the Subſidy of Poundage, and Granting a Subſidy of Tunnage, and other Sums of Money, unto His Royal Majeſty, His Heirs and Succeſſors, the ſame to be Paid upon Merchandizes Imported and Exported into, or out of the Kingdom of *Ireland*, according to a Book of Rates hereunto annexed.

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Provided allways, And be it further Enacted by the Authority aforesaid, That if the said Wines, Strong-Waters, Spirits perfectly Made, and Spirits Made and Distilled of Wine and Brandy, or Spirits above Proof, upon which the said Additional Duties are Charged, shall, after Payment thereof, or Security Given for the same, be again Exported by any Merchant or Merchants, That is, or are, a Subject or Subjects of this Realm, or any other His Majesty's Dominions, within Eighteen Months, or by Merchants Strangers, within Twelve Months, after the Importation thereof, and due Proof first Made, by Certificate from the Proper Officer of the due Entry of such Wines, Strong-Waters, Spirits perfectly Made, and Spirits Made and Distilled of Wine, Brandy, or Spirits above Proof, and of the Payment of the said Additional Duties hereby Granted and Charged thereon, or Security being given for the same, and that all other Requisites have been Performed, which are by Law Required to be Performed, in Cases where the Duties of Excise are to be Repaid, by Virtue of the before-mentioned Act [Intituled, An Act for the Settling of the Excise or New Impost, upon His Majesty, His Heirs and Successors, according to the Book of Rates, therein Inserted] That then the said Additional Duties, shall, without any Delay or Reward, be Paid or Allowed unto such Merchant or Merchants, so Exporting the same,

same, within One Month after Demand thereof, or the Security for the said Additional Duties, by this Act Charged, shall be Vacated or Discharged as to so much thereof as shall be so Exported; Any Thing herein contained to the Contrary notwithstanding. CHAP. I.

And be it further Enacted by the Authority aforesaid, That for the better Levying and Collecting the several Rates and Duties hereby Granted, all and every the Rules, Directions, Powers and Authorities, Clause or Clauses, Relating to the Brewers Mixing their Beer and Ale, and Distillers Distilling of Strong-Waters, and for Preventing the Mixing of Small Worts with Strong Ale or Beer, after the Gauger hath taken the Gauge thereof, and for Impowering Gaugers to take an Account of all Wash and Low Wines in Distillers Hands, the better to Ascertain the Quantity of Aquavitæ, Strong-Waters and Spirits by them Distilled, and all Penalties and Forfeitures Arising thereby and therefrom, Given, Granted or Enacted in and by an Act passed in the Fourth Year of the Reign of His Late Majesty King George the First, of Glorious Memory, Intituled, An Act for Continuing to His Majesty an Additional Duty on all Wines and Strong-Waters, and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine; And also a Tax on all

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Salaries, Profits of Employments, Fees and Pensions, therein mentioned; And for Granting a further Additional Duty on Ale, Beer and Strong-Waters, and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine; And for Securing the Re-payment of Fifty Thousand Pounds *Sterling*, formerly Advanced to His Majesty for the Use of the Publick, together with the Interest thereof, **which were to Continue from the Twenty first Day of** November, **One thousand seven hundred and seventeen, until the Twenty First Day of** November, **One thousand seven hundred and nineteen, inclusive; And which were further Granted and Continued from Time to Time, by divers Acts of Parliament Made in this Kingdom until the Twenty fifth Day of** December, **One thousand seven hundred and forty three, inclusive, Shall be, and Continue in full Force from the Twenty fifth Day of** December, **One thousand seven hundred and forty three, until the Twenty fifth Day of** December, **which will be in the Year of Our Lord One thousand seven hundred and forty five, inclusive.**

And be it further Enacted by the Authority aforesaid, That for a further Supply to Your Majesty, the further Additional Duty of Twenty Shillings Sterling, **on every hundred Weight of Molasses, and the further Additional Duty of Twenty Shillings** Sterling, **on every hundred Weight of Treacle, which, in and by the said Act of Parliament, Made in the First Year of Your Majesty's**

Majesty's Reign, were Granted unto Your Majesty from the Twenty fifth Day of March, which was in the Year of Our Lord One thousand seven hundred and Twenty eight, until the Twenty fifth Day of December, One thousand seven hundred and Twenty nine, inclusive, and which were further Granted and Continued unto Your Majesty, from Time to Time by other Acts of Parliament, made in this Kingdom from the said Twenty fifth Day of December, One thousand seven hundred and Twenty nine, until the Twenty fifth Day of December, One thousand seven hundred and forty three inclusive, Be further Granted, Continued, Collected, Levied and Paid unto Your Majesty, Your Heirs and Successors, from the said Twenty fifth Day of December, One thousand seven hundred and forty three, until the Twenty fifth Day of December, One thousand seven hundred and forty five, inclusive. CHAP. I.

And be it further Enacted by the Authority aforesaid, That for a further Supply to Your Majesty, an Additional Duty of Six Pence per Yard for all Foreign Stuffs, Called Romalls, and all Manufactures Made of Cotton, or of Cotton and Linnen Mixed, whether Plain, Painted or Stained, which shall be Imported into this Kingdom from any parts abroad, Except the Manufactures of Great-Britain; And also an Additional Duty of Six Pence per Yard, over and above the present Du-

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ties, for all Cambricks not of the Manufactury of Great Britain, which shall be Imported into this Kingdom, Exceeding a Yard Wide; shall be Raised, Levied, Collected, and Paid to Your Majesty, Your Heirs and Successors, from the Twenty fifth Day of December, One thousand seven hundred and forty three, to the Twenty fifth Day of December, One thousand seven hundred and forty five, inclusive.

And be it further Enacted by the Authority aforesaid, That for a further Supply to Your Majesty, an Additional Duty of Six Pence per Hide for, and upon every Raw or Untanned Hide which shall be Exported out of this Kingdom, to any parts beyond the Seas (Except Great Britain) shall be Raised, Levied, Collected and Paid to Your Majesty, Your Heirs and Successors, from the Twenty fifth Day of December, One thousand seven hundred and forty three, to the Twenty fifth Day of December, One thousand seven hundred and forty five, inclusive.

And be it further Enacted by the Authority aforesaid, That the Additional Rates and Duties on Coffee, Tea, Chocolate and Cocoa-Nuts, Granted by the said Act in the First Year of Your Majesty's Reign, and Continued as aforesaid, and all Money Arising thereby, shall be Paid to the Trustees Appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, to be by them Applied to Encourage and Support the

the ſaid Manufactures, and the Trade thereof, in this Kingdom, and that the ſaid Additional Duty on Raw or Untanned Hides, and all Money Ariſing thereby, ſhall be Paid to the ſaid Truſtees, to be by them Applied towards Encouraging the Raiſing of Flax-Seed in this Kingdom. CHAP. I.

And be it further Enacted by the Authority aforeſaid, That all and every the ſeveral and reſpective Additional Duties hereby Granted or Continued, ſhall be Raiſed, Anſwered, Collected, and Paid unto Your Majeſty, Your Heirs and Succeſſors, during the Term aforeſaid, at the ſame Time, and in like Manner, and by ſuch Ways, Means and Methods, and by ſuch Rules and Directions, and under ſuch Penalties and Forfeitures, and with ſuch Powers, as are Appointed, Directed and Expreſſed in and by the ſaid Act, Made in this Kingdom in the Fourteenth Year of the Reign of King Charles the Second [Intituled, An Act for the Settling of the Exciſe, or New Impoſt, upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates, therein inſerted] or by any other Law now in Force, Relating to the Revenue or Exciſe in this Kingdom, as fully and effectually, to all Intents and Purpoſes, as if the ſame were particularly Mentioned, Expreſſed, and Enacted again in the Body of this Preſent Act; With like Remedy of Appeal to and for the Party grieved, as in and by the ſaid Act of Exciſe, or any other Law

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noth in being, Relating to the Duties of Excise, is Provided.

And be it further Enacted by the Authority aforesaid, That the Sixpence per Pound, and all other Fees which shall or may be payable to the Vice-Treasurer or Vice-Treasurers, Pay-Master or Receiver-General, for, or on Account of, or out of the Aids hereby Granted unto Your Majesty, other than, and Except such part thereof, as is herein after Appointed to be paid to the Trustees of the Hempen and Flaxen Manufactures of this Kingdom, shall be Received by the said Vice-Treasurer or Vice-Treasurers, Receiver or Pay-Master General, for the Use of Your Majesty, Your Heirs and Successors, during the Term aforesaid; And shall be duly Accounted for by him or them, to Your Majesty, Your Heirs and Successors, as a further and Additional Aid hereby Given and Granted.

And be it further Enacted by the Authority aforesaid, That the several Sums hereinafter mentioned, be paid out of the aforesaid Additional Duties and Aids Granted and Continued to Your Majesty by this Present Act, to the Persons herein after mentioned (that is to say) The Sum of Two thousand Pounds per Annum for Two Years, from the Twenty fifth Day of December, One thousand seven hundred and forty three, to the Twenty fifth Day of December, One thousand seven hundred and forty five, inclusive, to the Trustees Appointed for the Management of the Hempen

pen and Flaxen Manufactures of this Kingdom, for Encouraging and Raiſing of ſufficient Quantities of Hemp and Flax in this Kingdom; Alſo the further Sum of Two thouſand Pounds per Annum, for Two Years, from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and forty three, to the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and forty five, inclusive, to the ſaid Truſtees Appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, for the further Encouragement of the ſaid Hempen and Flaxen Manufactures in the Provinces of Leinſter, Munſter, and Connaught, Freed and Diſcharged from the Payment of Six Pence per Pound, and all other Fees which ſhall or may be Payable to the Vice-Treaſurer, Receiver, or Pay-Maſter General of this Kingdom, Clerk of the Pells, or any other Officer or Officers of this Kingdom; Alſo the Sum of Three hundred Pounds Ster. to Agmondiſham Veſey, Eſquire, Accomptant-General, as a Reward for his Expence and Trouble in Preparing and Stating the Publick Accompts of the Nation, Laid before the Houſe of Commons this Seſſion of Parliament; Alſo the Sum of Two hundred Pounds to Iſaac Ambroſe, a Clerk of the Houſe of Commons, as a Reward for his Attendance and Service this Seſſion of Parliament; Alſo the Sum of Three hundred Pounds to Burdet Worthington, a Clerk of the Houſe of Commons, as a Reward for his At-

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tendance and Service this Session of Parliament; Also the Sum of Two hundred Pounds to John Ker, Clerk-Assistant as a Reward for his Attendance and Service this Session of Parliament; Also the Sum of Three hundred Pounds Sterl. to Edward Brereton, Serjeant at Arms, as a Reward for his Attendance and Service this Session of Parliament; The Sum of Two hundred and fifty Pounds to Edward Sterling, and Boyle Browne, the Clerks Attending the Committee of Accompts, and other Committees, as a Reward for their Attendance and Service this Session of Parliament, to be Equally Divided between them; The Sum of Eighty Pounds to John Green and James Savage, Door-Keepers of the House of Commons, as a Reward for their Attendance and Service this Session of Parliament, to be Equally Divided between them; The Sum of One hundred and Twelve Pounds to Samuel Fairbrother, for Printing the Publick Accompts, Laid before the House of Commons this Session of Parliament; All which said several Sums, are to be Paid by the Vice-Treasurer or Receiver-General of this Kingdom, without any further or other Warrant to be sued for, had, or obtained in that behalf.

AN

CHAP. II.

AN

ACT

FOR

Granting to His Majeſty a further Additional Duty on Wine, Silk, Hops, China, Earthen, Japanned, or Lacquered Ware, and Vinegar; and alſo, a Tax of Four Shillings in the Pound, on all Salaries, Profits of Employments, Fees and Penſions, to be applied to Pay an Intereſt of Five Pounds *per Cent, per Annum*, upon ſuch Part of the Sum of One hundred thouſand Pounds, Part of the Sum of Three hundred thouſand Pounds, formerly Raiſed, which ſhall Remain Unpaid on the Twenty fifth Day of *December*, One thouſand ſeven hundred and forty three; And alſo, to Pay an Intereſt of Four Pounds *per Cent. per Annum*, upon ſuch Part of the Sum of Two hundred and fifty thouſand Pounds alſo formerly Raiſed, as ſhall Remain Unpaid on the ſaid Twenty fifth Day of *December*, One thouſand ſeven hundred and forty three, and towards the Diſcharge of the ſaid Principal Sums.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*, MDCCXLIII.

AN

ACT

FOR

Granting to His Majeſty a further Additional Duty on Wine, Silk, Hops, China, Earthen, Japanned, or Lacquered Ware, and Vinegar; and alſo, a Tax of Four Shillings in the Pound, on all Salaries, Profits of Employments, Fees and Penſions, to be applied to Pay an Intereſt of Five Pounds *per Cent. per Annum*, upon ſuch Part of the Sum of One hundred thouſand Pounds, Part of the Sum of Three hundred thouſand Pounds formerly Raiſed, which ſhall Remain Unpaid on the Twenty fifth Day of *December*, One thouſand ſeven hundred and forty three; And alſo, to Pay an Intereſt of Four Pounds *per Cent. per Annum*, upon ſuch Part of the Sum of Two hundred and fifty thouſand Pounds alſo formerly Raiſed, as ſhall Remain Unpaid on the ſaid Twenty fifth Day of *December*, One thouſand ſeven hundred and forty three, and towards the Diſcharge of the ſaid Principal Sums.

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WHEREAS, in Purſuance of an Act of Parliament Made and Paſſed in the Fifth Year of Your Majeſty's Reign, [Intituled, An Act for

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Granting to His Majesty, a further Additional Duty on Wine, Silk, Hops, China, Earthen, Japanned or Lacquered Ware, and Vinegar; And also, a Tax of Four Shillings in the Pound on all Salaries, Profits of Employments, Fees and Pensions, to be Applied to Pay an Interest of Five Pounds *per Cent. per Annum*, for the Sum of Three hundred thousand Pounds, and towards the Discharge of the said Principal Sum] **Orders or Receipts there Issued out of Your Majesty's Treasury for the Sum of Three hundred thousand Pounds, bearing an Interest at the Rate of Five Pounds** per Cent. per Annum.

And whereas the several Aids and Duties thereby Granted to Your Majesty, were, by one other Act Made and Passed in the Seventh Year of Your Majesty's Reign [**Intituled,** An Act for Granting to His Majesty a further Additional Duty on Wine, Silk, Hops, China, Earthen, Japanned or Lacquered Ware, and Vinegar; And also, a Tax of Four Shillings in the Pound on all Salaries, Profits of Employments, Fees, and Pensions, to be Applied to Pay an Interest of Five Pounds *per Cent. per Annum*, for the Sum of Three hundred thousand Pounds, or such Part thereof as shall remain unpaid on the Twenty fifth Day of *December*, One thousand seven hundred and thirty three, and towards the Discharge of the said Principal Sum] **Continued until the Twenty Fifth Day of** December, **in the Year of Our Lord, One thousand sevenhundred and thirty five, inclusive, for the payment of the said Three hundred thousand Pounds, and Interest, or such Part thereof as remained Unpaid on the said Twenty fifth Day of** December, **One thousand seven hundred and thirty three,**

And

And were further Granted and Continued from Time to Time by ſubſequent Acts of Parliament Made in this Kingdom, until the Twenty fifth Day of December, in the Year of Our Lord, One thouſand ſeven hundred and forty one.

And whereas in and by an Act made and paſſed in the Fifteenth Year of Your Majeſty's Reign [Intituled, An Act for Granting to His Majeſty a further Additional Duty on Wine, Silk, Hops, China, Earthen, Japanned or Lacquered Ware, and Vinegar; And alſo, a Tax of Four Shillings in the Pound on all Salaries, Profits of Employments, Fees, and Penſions, to be applied to pay an Intereſt of Four Pounds *per Centum per Annum*, upon the Sum of One hundred and twenty five thouſand Pounds, Part of the Sum of Three hundred thouſand Pounds, and an Intereſt of Five Pounds *per Centum per Annum*, upon ſuch part of the Reſidue thereof as ſhall remain Unpaid on the Twenty fifth Day of *December*, One thouſand ſeven hundred and forty one; And alſo, to Pay an Intereſt of Four Pounds *per Centum per Annum*, upon a further Sum not exceeding the Sum of One hundred and twenty five thouſand Pounds, to be Borrowed for the purpoſes herein Mentioned and toward the Diſcharge of the ſaid Principal Sums] It was amongſt other things Enacted, That for ſuch part of the ſaid Sum of Three hundred thouſand Pounds as ſhould remain Unpaid on the Twenty fifth Day of December, in the Year of Our Lord, One thouſand ſeven hundred and forty one, there ſhould be Paid at the Receipt of Your Ma-

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jesty's Exchequer, at the End of every Six Kalendar Months from the said Twenty Fifth Day of December, One thousand seven hundred and forty one, to the Person or Persons who had Paid or Lent the same, his, her, or their Executors, Administrators or Assigns, an Interest according to the following Rates (that is to say) for the Sum of One hundred and twenty five thousand Pounds, Part of what should remain Unpaid on the said Twenty fifth Day of December, One thousand seven hundred and forty one, of the said Sum of Three hundred thousand Pounds, an Interest according to the Rate of Four Pounds per Centum per Annum, and for the Rest and Residue of the said Sum of Three hundred thousand Pounds which should remain Unpaid on the said Twenty fifth Day of December, One thousand seven hundred and forty one, an Interest after the Rate of Five Pounds per Centum per Annum, until such time as they should be respectively paid their Principal Sums at one Intire Payment; And in order to the Ascertaining which of the said Orders or Receipts Issued for the said Sum of Three hundred thousand Pounds, which should remain Unpaid upon the said Twenty fifth Day of December, One thousand seven hundred and forty one, should be Reduced to an Interest according to the Rate of Four Pounds per Centum per Annum, it was Provided by the said Act, That so many of the said Orders or Receipts, as should Amount

mount to the Sum of One hundred and Twenty five thousand Pounds, should be Ballotted for, and Drawn in the Manner therein Prescribed, and that the Person or Persons, whose Orders or Receipts should be so Drawn, his, her or their Executors, Administrators or Assigns, should be paid from the said Twenty fifth Day of December, One thousand seven hundred and forty one, an Interest at the Rate of Four Pounds per Centum per Annum, only for their said respective Principal Sums, which should be so Drawn, until such Time as they should be respectively paid their Principal Money at one Intire Payment; And that each and every Person, who should be Intitled to any Part of the said Sum of One hundred and Twenty five thousand Pounds, which should be so Drawn, should Deliver or Cause to be Delivered up to the Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, all Receipts or Orders, whereby such Person or Persons respectively, were Intitled to any Part of the said Sum of One hundred and Twenty five thousand Pounds, and that the said Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, should Cancell such Orders or Receipts, and in Lieu thereof, Make out and Deliver like Orders or Receipts to such Person or Persons respectively, their Executors, Administrators and Assigns, who should Deliver or Cause to be Delivered, such former Orders or Receipts, for the Sums Contained

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Chap. II. in such former Orders or Receipts, payable with Interest for the same, according to the Rate of Four Pounds per Centum per Annum; And it was by the said Act also provided, That the person or persons who should be Intitled to such of the said Orders or Receipts, for the said Sum of Three hundred thousand Pounds, as should Remain Undrawn, should be Paid from the said Twenty fifth Day of December, One thousand seven hundred and forty one, an Interest according to the Rate of Five Pounds per Centum per Annum, for their said several Principal Sums which should be so Undrawn, until such Time as they should be respectively paid their Principal Money at one Intire payment.

And whereas so many of the said Orders or Receipts for the said Sum of Three hundred thousand Pounds, as Amounted to the said Sum of One hundred and twenty five thousand Pounds, were Ballotted for and Drawn, and the former Orders or Receipts for the same were Delivered up and Cancelled, and in Lieu thereof like Orders or Receipts Issued out of Your Majesty's Treasury for the said Sum of One hundred and twenty five thousand Pounds payable with Interest, at the Rate of Four Pounds per Centum per Annum, according to the Directions of the said Act.

And whereas there Remained the Sum of One hundred thousand Pounds, part of

of the ſaid Sum of Three hundred thouſand Pounds Undrawn, which by the ſaid Act, was to Carry an Intereſt at the Rate of Five Pounds per Centum per Annum, from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and forty one, as aforeſaid. CHAP. II.

And whereas in Purſuance of the ſaid laſt Recited Act, Orders or Receipts were likewiſe Iſſued out of Your Majeſty's Treaſury, for the further Sum of One hundred and twenty five thouſand Pounds, Bearing an Intereſt at the Rate of Four Pounds per Centum per Annum, to be Applied to the Purpoſes therein Mentioned.

And whereas the ſeveral Aids and Duties Granted to Your Majeſty by the ſaid laſt Recited Act, have not Proved Sufficient to Pay and Diſcharge the ſaid Sum of One hundred thouſand Pounds, Part of the ſaid Sum of Three hundred thouſand Pounds ſo Remaining Undrawn on the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and forty one, or the ſaid reſpective Sums of One hundred and twenty five thouſand Pounds, and One hundred and twenty five thouſand Ponnds before Mentioned, but the greateſt Part of the ſaid Principal Sum of One hundred thouſand Pounds, and the ſaid Intire Sums of One hundred and twenty five thouſand Pounds, and One hundred and twenty five thouſand Pounds will Remain unpaid and Unſatisfied on the ſaid Twenty fifth Day of

CHAP. II.

December, One thouſand ſeven hundred and forty three.

Be it therefore Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That for ſuch Part of the ſaid Sum of One hundred thouſand Pounds, and of the ſaid Sums of One hundred and twenty five thouſand Pounds, and One hundred and twenty five thouſand Pounds, making together the Sum of Two hundred and Fifty thouſand Pounds, as ſhall remain Unpaid on the ſaid Twenty fifth Day of December, in the Year of Our Lord One thouſand ſeven hundred and Forty three, there ſhall be Paid at the Receipt of Your Majeſty's Exchequer, by the Hands of the Vice-Treaſurer or Pay-Maſter General, Vice-Treaſurers or Pay-Maſters General, his or their Deputy or Deputies, at the End of every Six Kalendar Months, from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and forty three, to the Perſon or Perſons who have Paid or Lent the ſame, his, her or their Executors, Adminiſtrators, or Aſſigns, an Intereſt according to the Rates herein after mentioned (that is to ſay) For the ſaid Sum of One hundred thouſand Pounds, or ſuch Part of the ſaid Sum as ſhall remain Unpaid on the ſaid Twenty fifth Day of December, One thouſand ſeven hundred

hundred and forty three, an Intereſt, accord- CHAP.
ing to the Rate of Five Pounds per Centum II.
per Annum, and for ſuch part of the ſaid
Sum of Two hundred and Fifty thouſand
Pounds, as ſhall remain Unpaid on
the ſaid Twenty fifth Day of December,
One thouſand ſeven hundred and forty three,
an Intereſt, after the Rate of Four Pounds
per Centum per Annum, without any Fee or
Charge, and free from all Deductions, De-
falcations and Abatements whatſoever,
from and after the ſaid Twenty fifth Day
of December, One thouſand ſeven hundred
and forty three, until ſuch Time as they
ſhall be reſpectively paid their Principal Mo-
ney at one Intire Payment.

And be it further Enacted by the Au-
thority aforeſaid, That ſuch Perſon or
Perſons, who ſhall be Intitled to any
part of the ſaid Sum of Two hundred
and fifty thouſand Pounds, which ſhall
be Unpaid on the ſaid Twenty fifth Day
of December, One thouſand ſeven hundred
and forty three, and ſhall not be Willing
to Continue the ſame at the Intereſt of
Four Pounds per Centum per Annum, as a-
foreſaid, ſhall, upon the Aſſignment of
their Unſatisfied Orders or Receipts to
the Vice-Treaſurer or Vice-Treaſurers,
his or their Deputy or Deputies, be paid
the ſaid Principal Sum ſo Due to them
on the ſaid Twenty fifth Day of Decem-
ber, One thouſand ſeven hundred and for-
ty three, and all Intereſt then Due thereon,

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and the said Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, shall and may Assign such Receipts or Orders, to such Person or Persons, who shall Advance the Principal Money Due thereon, which Receipts or Orders, so to be Assigned by the said Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, shall Intitle the Assignees thereof to the Principal Money Due thereon, and to all Interest to grow Due for the same, from the Dates of such Assignments respectively.

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons to whom such Orders or Receipts for the said Sums of One hundred thousand Pounds, and Two hundred and fifty thousand Pounds, or any part of the said Sums have been given, his, her or their Executors, Administrators or Assigns, may, by Indorsements on such Orders or Receipts, Transfer the Right and Benefit of the Sum due upon such Orders or Receipts, which Indorsements, upon Notice to the Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, and on Entry or Memorial thereof Made in the said Vice-Treasurer's Office, which the said Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, shall, upon Request, without Charge, Fee or Reward make accordingly, and shall, on Request,

Permit

permit the same to be Viewed at usual Office Hours, without Fee or Reward, shall Intitle the Indorsee or Assignee, his or her Executors, Administrators and Assigns to the sole Benefit of the Sum so Transferred or Assigned; And that the said Order or Receipt may in like Manner be Assigned or Transferred by such Assignee, his or her Executors, Administrators or Assigns, and so toties quoties; And that after such Assignment it shall not be in the Power of the Person or Persons who made such Assignment, to make Void, Release or Discharge the said Assignment, or to Discharge or Receive the Sum thereby Transferred or Assigned or any Part thereof. CHAP. II.

And to the End and Intent, That the Interest of such Part of the said Sums of One hundred thousand Pounds, and of Two hundred and fifty thousand Pounds, as shall Remain Unpaid on the said Twenty fifth Day of December, One thousand seven hundred and forty three, may be Duly and Regularly Paid half-Yearly, according to the Rates herein before Mentioned, and according to the true Intent and Meaning of this Act;

Be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of December, which shall be in this Present Year of Our Lord, One thousand seven hundred and forty three, there shall be throughout Your Majesty's King-

CHAP. II.

dom of Ireland, Raiſed, Levied, Collected, and Paid to Your Majeſty, until the Twenty fifth Day of December, One thouſand ſeven hundred and forty five, inclusive, and no longer, over and above the Rates and Duties already Payable for the Same, and over and above the ſeveral Additional Duties Granted and Continued to Your Majeſty this Preſent Seſſion of Paliament by an Act, Intituled, An Act for Granting and Continuing to His Majeſty an Additional Duty on Beer, Ale, Strong-Waters, Wine, Tobacco, and other Goods and Merchandizes, herein mentioned, the ſeveral Further New Additional Rates and Duties herein after Mentioned (That is to ſay) One Pound Thirteen Shillings per Tun for, and upon all Sorts of Wines of the Growth of Portugal, and Three Pounds per Tun for, and upon all other Sorts of Wine, that ſhall be Imported into this Kingdom from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and forty three, to the Twenty fifth Day of December, One thouſand ſeven hundred and forty five, inclusive, and ſo Proportionably for a Greater or Leſſer Quantity; And alſo the Sum of Two Shillings and Six-pence per Pound-Weight for, and upon all Manufactures Made of Silk (Except the Manufactures of Great Britain, China, Perſia, or the Eaſt-Indies) that ſhall be Imported into this Kingdom, During the Time aforeſaid;

And

And alſo, One Half-Penny per Pound-Weight for, and upon all Hops, that ſhall be Imported into this Kingdom, During the Time aforeſaid; And alſo Five Pounds per Centum for, and upon all China, Earthen, Japanned or Lacquered Ware, that ſhall be Imported into this Kingdom, During the Time aforeſaid, as Valued or Rated for Cuſtom by the Book of Rates Annexed to an Act, Made in the Fourteenth Year of the Reign of King Charles the Second in this Kingdom, Intituled, An Act for Settling the Subſidy of Poundage, and Granting a Subſidy of Tunnage, and other Sums of Money, unto His Royal Majeſty, His Heirs and Succeſſors, the ſame to be Paid upon Merchandizes Imported and Exported into, or out of the Kingdom of *Ireland*, according to a Book of Rates hereunto annexed; And alſo, Twenty Shillings per Tun for, and upon all Sorts of Vinegar, that ſhall be Imported into this Kingdom, During the Time aforeſaid; And ſo Proportionably for a Greater or Leſſer Quantity.

Provided allways, And be it further Enacted by the Authority aforeſaid, That if any of the ſaid Goods and Merchandizes on which the ſaid Additional Duties are Charged, ſhall, after Payment thereof, or Security given for the Same, be again Exported by any Merchant or Merchants, that is or are a Subject or Subjects of this Realm, or any other His Majeſty's Dominions, within Eighteen Months, or by Merchant-Strangers within Twelve

Chap. II.

Months, after the Importation thereof, and due Proof first Made by Certificate from the proper Officers, of the due Entry of the Goods and Merchandizes hereby Charged with the said Duties, and of the Payment of the Additional Duties hereby Granted and Charged thereon, or Security having been Given for the same, and that all other Requisites have been Performed which are, by Law, Required to be Performed, in Cases where the Duties of Excise are to be Repaid, by Virtue of an Act Made in this Kingdom in the Fourteenth Year of the Reign of King Charles the Second [Intituled, An Act for the Settling of the Excise, or New Impost, upon His Majesty, His Heirs and Successors, according to the Book of Rates therein inserted] that then the said Additional Duties shall, without any Delay, be Repaid or Allowed unto such Merchant or Merchants so Exporting the same, within One Month after Demand thereof, or the Security for the said Additional Duties thereby Charged, shall be Vacated or Discharged, as to so much as shall be so Exported; Any Thing herein Contained to the Contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That all and every the several and respective Additional Duties hereby Granted, shall be Raised, Answered, Collected, and Paid unto Your Majesty, Your Heirs and Successors, During the Time aforesaid, at the same Time, in like Manner, and by such Ways, Means and Methods,

Methods, and by such Rules and Directions, and under such Penalties and Forfeitures, and with such Powers, as are Appointed, Directed and Expressed, in and by the said Act, Made in this Kingdom in the Fourteenth Year of King Charles the Second, Intituled, An Act for the Settling of the Excise, or New Impost, upon His Majesty, His Heirs and Successors, according to the Book of Rates therein inserted, or by any other Law now in Force, relating to the Revenue of Excise in this Kingdom, as Fully and Effectually, to all Intents and Purposes, as if the same were herein Particularly Mentioned, Expressed and Enacted again, with like Remedy of Appeal to and for the Party Grieved, as in and by the said Act of Excise, or any other Law now in Force, Relating to the Duties of Excise, is Provided. CHAP. II.

And be it further Enacted by the Authority aforesaid, That all and every Person and Persons, who shall have, upon the said Twenty fifth Day of December, One thousand seven hundred and forty three, or who shall have at any Time, between the said Twenty fifth Day of December, One thousand seven hundred and forty three, and the Twenty fifth Day of December, One thousand seven hundred and forty five, inclusive, any Salaries, Profits of Employments, Fees or Pensions, in this Kingdom, shall pay unto Your Majesty the full Sum of Four Shillings, Sterling, out of every Twenty Shillings a Year, which he, she or they,

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they, do or shall Receive, or be Intitled unto, by Reason of such Salaries, Profits of Employments, Fees or Pensions, over and above the Charges and Expences of Executing the said Employments, unless such Person or Persons do, and shall Live and actually Reside within this Kingdom, for and during the Space of Six Kalendar Months at least in each of the said Years; Which said Tax, or Duty, of Four Shillings, Sterling, out of every Twenty Shillings a Year, as aforesaid, out of such respective Salaries and Pensions, shall be Stopped and Deducted Yearly, during the Time and Term aforesaid, by the Vice-Treasurer, or Paymaster and Receiver-General out of Your Majesty's Revenue, or by such Person or Persons, who is, or are to pay the same; And which said Tax of Four Shillings in the Pound, to be Stopped and Deducted as aforesaid, by the Person or Persons, who are to pay the said Salaries, shall be by him, or them paid to the Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, to be Accounted for to Your Majesty; And also, that the said Tax of Four Shillings in the Pound, to be Stopped or Deducted out of the Profits, and Fees of any Person or Persons, so Absent, as aforesaid, shall be Stopped by the respective Deputy and Deputies of such Person or Persons so Absent, as aforesaid, and paid by them to the said Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, to be Accounted for to Your Majesty; And, that

that ſuch Deputy or Deputies ſhall, within one Kalendar Month after ſuch Tax ſhall become Due, Give in, upon Oath, an Account, before the Lord Chief Baron or any of the Barons of the Exchequer, or any two Juſtices of the Peace, of the Neat Profits of ſuch Employment or Employments, for which ſuch Deputy or Deputies are or ſhall be Accountable to their Principals; Which Account, ſuch Perſon or Perſons, to whom the ſame ſhall be Given, upon Oath as aforeſaid, ſhall forthwith Send to the ſaid Vice-Treaſurer or Vice-Treaſurers, his or their Deputy or Deputies; And in Caſe ſuch Deputy or Deputies ſhall Omit or Neglect to give in, upon Oath, ſuch Account, within the Time herein before for that Purpoſe Appointed, ſuch Deputy or Deputies Neglecting or Omitting the ſame, from the Time of ſuch Omiſſion or Neglect, ſhall be incapable of Exerciſing or Holding ſuch Deputation, and ſhall alſo Forfeit the Sum of One hundred Pounds Sterling, to be Recovered by Bill, Plaint or Information, in any of His Majeſty's Courts of Record at Dublin, One Moiety thereof to the Uſe of His Majeſty, and the other Moiety to ſuch Perſon or Perſons, who ſhall Sue for the ſame; In which Suit no Eſſoign, Protection, or Wager of Law, or more than one Imparlance, ſhall be Allowed. CHAP. II.

And be it further Enacted by the Authority aforeſaid, That the Secretary or Secretaries of the Comiſſioners of Your

Chap. II. Majesty's Revenue, the Agent and Agents of the several Regiments, upon the Establishment of this Kingdom, and the Agent and Agents of the several Persons, who are Intitled to Receive any Salaries or Pensions, upon Your Majesty's Establishment, shall respectively, on or before the last Day of February, Yearly, Deliver in upon Oath (which Oath the said Lord Chief Baron, or any One of the Barons, of Your Majesty's Court of Exchequer, or any Two Justices of the Peace, are hereby Required and Impowered to Administer) to the best of their Knowledge, a List or Account of such of the Officers of the Revenue, and the Officers of the said Regiments, of the Degree of a Field-Officer, and of the Person or Persons, who are Intitled to Receive any such Salaries or Pensions, who shall have been Absent, and Out of this Kingdom, for Six Kalendar Months, in the Year, Ending the Twenty fifth Day of December, next Preceding; And in Case such Secretary or Secretaries, Agent or Agents, shall Refuse or Neglect to Deliver in such Lists respectively, he or they shall be Disabled from Holding or Enjoying, the said Office of Secretary or Secretaries, or from being Agent or Agents.

Provided allways, And be it further Enacted, and Declared, by the Authority aforesaid, That this Act shall not extend to Charge the said Tax or Duty of Four Shillings, Sterling, a Year, on every Twenty Shillings, as aforesaid, upon the Salary,

ry, Pension, Fees, or Profits of Employments, Payable to the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom for the time being, His or Their Secretary or Secretaries; Nor to such Person or Persons, who shall, within One Month after such Tax shall become payable, be Exempted from the Payment thereof, by His Majesty's Sign Manual, Produced for that Purpose, and Lodged with the Vice-Treasurer or Vice-Treasurers of this Kingdom, or His or Their Deputy or Deputies, within One Month after the said Tax shall become Due; Nor to the Officers of such Regiments, as now are, or shall hereafter be Commanded Abroad, on His Majesty's Service; Nor to the Half-pay Officers on the Establishment of this Kingdom; Nor to the Widows of Officers; Nor to any Officer under the Degree of a Field-Officer. CHAP. II.

And be it further Enacted by the Authority aforesaid, That neither the Six Pence per Pound, nor any other Fee, shall be payable to, or be Deducted or Received by the Vice-Treasurer, or Receiver or Pay-Master General, Clerk of the Pells, or any other Officer or Officers of this Kingdom, for, or on Account of, or out of the Aids hereby Granted to Your Majesty; Or of any Payment to be made thereout, in Pursuance of this Act.

And be it further Enacted by the Authority aforesaid, That the several Duties and

CHAP. II.

Aids, and the ſaid Tax of Four Shillings in the Pound, hereby Granted to Your Majeſty, ſhall in the Firſt Place be Applied and Paid by the Vice-Treaſurer or Vice-Treaſurers, His or Their Deputy or Deputies, to the Diſcharge of the Intereſt of ſuch Part of the ſaid Sums of One hundred thouſand Pounds, and Two hundred and fifty thouſand Pounds, as ſhall Remain Unpaid on the ſaid Twenty fifth Day of December, in the Year of Our Lord, One thouſand ſeven hundred and forty three, according to the Rates of Intereſt herein before mentioned: And that all the Surplus of the ſaid Aids and Duties hereby Granted to Your Majeſty, over and above what ſhall be Sufficient to Diſcharge the ſaid Intereſt, ſhall in the firſt Place, be Applied towards the Diſcharge of ſuch Part of the ſaid Principal Sum of One hundred thouſand Pounds, as ſhall Remain and be Unpaid on the Twenty fifth Day of December, One thouſand ſeven hundred and forty three, and from and after the Payment thereof, towards the Diſcharge of the ſaid Principal Sum of Two hundred and fifty thouſand Pounds, in Manner herein after Mentioned (viz.) That when and as often as ſuch Surplus Received by the Vice-Treaſurer or Vice-Treaſurers, His or Their Deputy or Deputies, ſhall amount to the Sum of Five thouſand Pounds, that then the Vice-Treaſurer or Vice-Treaſurers, His or Their Deputy or Deputies, ſhall cauſe the Num-

bers

bers of all the Receipts or Orders, which Purſuant to this Act ſhall bear an Intereſt at the Rate of Five Pounds per Centum per Annum, which ſhall Remain then Unſatisfied, and the Sums therein Contained, to be Written on ſeveral Tickets or Pieces of Parchment, and to be Rolled and Selved up, and put into a Box or Urn, and well Mixed together, and an Indifferent Perſon ſhall Publickly, between the Hours of Ten and Twelve in the Forenoon, of a Day to be by the ſaid Vice-Treaſurer or Vice-Treaſurers his or their Deputy or Deputies Publickly Advertized, in the Dublin-Gazette for that Purpoſe, at leaſt Twenty Days before, at the Office of the Vice-Treaſurer or Vice-Treaſurers, Draw out of ſuch Box or Urn, as many of the ſaid Tickets or Pieces of Parchment, as the Sums therein Contained ſhall Amount to the ſaid Sum of Five thouſand Pounds, and the Perſon or Perſons, the Number of whoſe Order or Receipt ſhall be ſo Drawn, His or Their Executors, Adminiſtrators or Aſſigns, ſhall, within Twenty Days after the ſaid Tickets or Pieces of Parchment ſhall be Drawn, be Paid by the Vice-Treaſurer or Vice-Treaſurers, His or Their Deputy or Deputies, the Principal Sums to Him or Them reſpectively Due, with Intereſt for the ſame, at the Rate of Five Pounds per Centum per Annum, till Paid; and ſhall, upon Payment thereof, Deliver up His and Their ſeveral and reſpective Orders and Receipts to the ſaid Vice-Treaſurer or Vice-Treaſurers, CHAP. II.

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ers, His or Their Deputy or Deputies, to be Cancelled, which He or They are hereby Required to Cancel accordingly, and the Interest Payable by Virtue of such Orders or Receipts, shall Cease from the Expiration of Twenty Days, to be Accounted from the Day of Drawing the said Tickets or Pieces of Parchment; And from and after the Payment of the said Principal Sum carrying an Interest of Five Pounds per Centum per Annum, then the Vice-Treasurer or Vice-Treasurers, His or Their Deputy or Deputies, shall, as often as the said Surplus in their Hands shall Amount to the Sum of Five thousand Pounds, Cause the Numbers of all the Receipts or Orders remaining unsatisfied, for the said Sum of Two hundred and fifty thousand Pounds, which by this Act is to bear an Interest at the Rate of Four Pounds per Centum per Annum, to be Balloted for in like Manner, and with like Notices as herein before is Directed, and to cause so many of the said Tickets, as shall Amount to the Sum of Five thousand Pounds, to be Drawn, and the Person or Persons, the Number of whose Order or Receipt shall be so Drawn, his or their Executors, Administrators or Assigns, shall, within the Space of Twenty Days after such Drawing, be Paid as aforesaid, the Principal Sums to him and them respectively due, with Interest, at the Rate of Four Pounds per Centum per Annum, till Paid, and Deliver up his and their

their ſeveral Orders or Receipts to be Cancelled as aforeſaid; And the Intereſt Payable by Virtue of ſuch Orders or Receipts, ſhall ceaſe from the Expiration of Twenty Days, to be Accounted from the Day of Drawing the ſaid Tickets or Pieces of Parchments. CHAP. II.

And be it further Enacted by the Authority aforeſaid, That if any Part of the ſaid Principal Sums hereby Provided for, ſhall be Due and Unpaid on the ſaid Twenty fifth Day of December, which ſhall be in the Year of Our Lord, One thouſand ſeven hundred and forty five, the ſame ſhall be well and truly Satisfied and Paid unto the ſeveral and reſpective Perſons, their Executors, Adminiſtrators and Aſſigns, reſpectively, to whom the ſame ſhall be then Due, together with ſuch Intereſt for the ſame, as ſhall be then Due at the Rates aforeſaid, without any Deduction Defalcation or Abatement whatſoever.

And be it further Enacted by the Authority aforeſaid, That from and after the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and forty three, a Separate and Diſtinct Account ſhall be kept by the Proper Officer of the Aids, Duties and Taxes, Granted by this Act, or any other Act of Parliament now in Force in this Kingdom, and Appropriated to particular Uſes, and that the Commiſſioners of His Majeſty's Revenue, ſhall Return their Weekly Abſtract from the

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several Collectors to the Accomptant-General, and that the Accomptant-General shall Return a Separate Account of the several Duties and Taxes so Appropriated, to the Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies; And that every Collector or Receiver of the said Duties and Taxes, do take a Separate Receipt for the Same, when paid into His Majesty's Treasury, which said Receipt, the Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, is, and are hereby Required to give accordingly.

AN

CHAP. III.

AN

ACT

For the FURTHER

IMPROVEMENT

OF THE

Hempen and Flaxen Manufactures, and to Encourage the Raiſing of Flax-Seed in this Kingdom.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. MDCCXLIII.

A

ACT

FOR THE

IMPROVEMENT

OF THE

Harbour and Haven of Waterford,

and to Encourage the Raising of

Timber in this Kingdom

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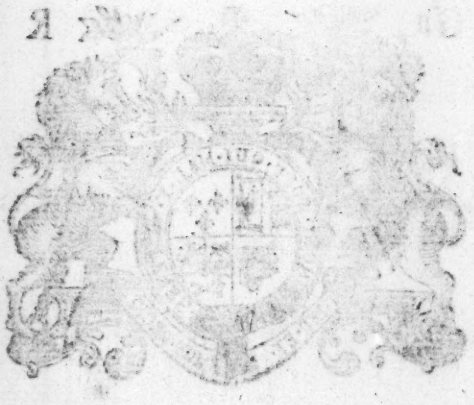

DUBLIN:

Printed by George Grierson, Printer to the King's

Most Excellent Majesty, at the King's Arms and Two

Bibles in Essex-Street. MDCCXLIII.

AN

ACT

FOR

The further Improvement of the Hempen and Flaxen Manufactures, and to Encourage the Raiſing of Flax-Seed in this Kingdom.

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WHEREAS the Raiſing of Flax-Seed and Flax in this Kingdom will greatly Increaſe the Linen Manufacture;

And whereas great Quantities of Flax-Seed and Flax are Imported every Year from Riga, and other Parts, whilſt as good might be Raiſed within this Kingdom, if duly Promoted and Encouraged:

Be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament Aſſembled, and by the Autho-

CHAP. III.

rity of the same, That for the Space of Five Years from the Twenty fifth Day of December, which shall be in the Year of Our Lord, One thousand seven hundred and forty three, and from thence to the End of the next Session of Parliament, when good Sound and Merchantable Flax-Seed of the Growth of this Kingdom, is or shall be put on Ship-Board at Dundalk, or any Port of this Kingdom Southward thereof, by any Merchant or other Person or Persons, who shall make Oath before the Collector, Surveyor, or Land-Waiter of such Port, who are hereby Impowered and Required to Administer the same, That he to the best of his Skill and Knowledge, believes the said Seed to be Sound and Good, and that no Præmium was ever Received thereon, and that the same is of the Growth of this Kingdom, the Collector of the Port where the said Seed shall be put on Ship-Board as aforesaid, shall on Oath made as aforesaid, give without Fee or Reward, unto such Person or Persons as aforesaid, a Certificate wherein shall be Expressed the Quantity of Seed so Shipped, and the Day of the Month, and Year when the same was Shipped, and that Oath has been made before him as aforesaid, That then every such Person or Persons upon Landing the said Seed in any Port of this Kingdom, Five Leagues or more Northward of the said Port of Dundalk, and Delivering the said Certificate

Certificate and making Oath before the Collector, Surveyor, or Land-Waiter of the Port, That the said Seed so Landed is the same Seed mentioned in the said Certificate, which Oath the Collector, Surveyor, or Land-Waiter of the Port, is hereby Impowered and Required to Administer, and upon Bond being given by every such Merchant or other Person in the Sum of Twenty Shillings for every Barrel of such Flax-Seed, and so in Proportion for every greater Quantity, that the said Seed is Good, Sound, and Merchantable Flax-Seed, of the Growth of this Kingdom, and shall not be Re-Landed or Sent into any Part of this Kingdom more South, than Five Leagues North of Dundalk, shall be Entitled to and Receive from the Collector of the Port where the same is Landed as a Præmium, the Sum of One Shilling for every Bushel so Landed, Clear and Free of all Duties Payable upon the Export of Flax-Seed, to be Paid by such Officer or Officers in such Manner as Drawbacks are usually Paid. CHAP. III.

And be it further Enacted by the Authority aforesaid, That when Good, Sound and Merchantable Flax-Seed, of the Growth of this Kingdom, is or shall be at Five Shillings per Bushell, or under, every Merchant or other Person, who shall put on Shipboard, to Export or Cause to be Exported, from the said Port of Dundalk, or

Chap. III.

any other Port of this Kingdom Southward of Dundalk, to any Port beyond the Sea, any Quantity of Flax-Seed, of the Growth of this Kingdom, shall bring a Certificate in Writing, under his or their Hand or Hands, containing the Quantity of Flax-Seed so Shipped, to the Farmers, Commissioners, Collectors, or other Persons Appointed, or to be Appointed for the Time being, to Collect the Duties and Rates within any such Port, and upon Oath made of the Truth of such Certificate, by any Credible Person, before any of the said Officers, who are hereby Impowered to Administer the same, and that the same is Good, Sound and Merchantable Flax-Seed, of the Growth of this Kingdom, and that no Præmium has been already Received for the Export of such Seed, and also, upon Bond given by every such Merchant or other Person, in the Sum of Twenty Shillings, for every Barrel of such Seed, and so in Proportion for any greater Quantity, that the said Seed is Good and Merchantable, of the Growth of this Kingdom, and the Danger of the Seas Excepted, shall be Exported into Parts beyond the Seas, from the Port where such Seed shall be so Shipped, and shall not be Re-landed in any Part of this Kingdom; Every such Merchant, so Shipping of any Quantity of such Seed, making Oath, and giving Certificate and Bond, as aforesaid, shall have and

and Receive, Clear and Free of all Duties payable upon the Export of Flax-Seed, the Sum of One Shilling per Bushel, as a Præmium for every Bushel of such Seed, to be Paid by such Officer or Officers, and in such Manner as Drawbacks are usually Paid. CHAP. III.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of December, One thousand seven hundred and Forty three aforesaid, It shall and may be Lawful, to and for all and every the Justices of the Peace, for the several and respective Counties, from whence Flax-Seed shall or may hereafter be Exported; And they are hereby Enjoyned and Required, at every their Quarter-Sessions, to give in Charge, in open Court, to the Grand-Jury there Assembled, to make Enquiry and Presentment upon their Oaths, of the Common Market-Price of Flax-Seed, as the same shall be commonly Bought and Sold in every such County, which Enquiry and Presentment, the said Grand-Jury are hereby Impowered and Required to Make.

And be it further Enacted by the Authority aforesaid, That such Presentment shall be Made in open Court, and shall be Certified by the said Justices in Writing, to His Majesty's Chief Officer and Collector of the Customs for the Time being, Residing in every such Port, from whence such Flax-Seed may be Exported,

CHAP. III.

and ſhall be Hung up in ſome Publick Place in the Cuſtom-Houſe, belonging to every ſuch Port, to be Reſorted to by all Perſons for their Information.

Provided allways, That if the Grand-Jury in any County, ſhall Neglect to make ſuch Preſentment at any of their ſaid Quarter-Seſſions, in ſuch Caſe no Præmium ſhall be Paid within ſuch County upon the aforeſaid Exportation, until a Preſentment ſhall be Made by the Grand-Jury of ſuch County at their Quarter-Seſſions, for Aſcertaining the Price of Flax-Seed within the ſaid County in Manner aforeſaid.

And be it further Enacted by the Authority aforeſaid, That from and after the Time, that a convenient Piece or Parcel of Ground, Lying and Being in the Shire or County-Town of any County within the Provinces of Leinſter, Munſter and Connaught, ſhall be Purchaſed, Conveyed, or otherwiſe Aſſured, with the Approbation of the Grand-Juries at the Aſſizes Held for ſuch County, to any Perſon or Perſons, his or their Heirs upon Truſt, and to the Intent that a Publick Ware-Houſe or Market-Houſe ſhould be Erected and built thereon, for the Lodging in, and Expoſing to Sale any Flaxen or Hempen Yarn, Flax and Hemp, and Flax-Seed and Hemp-Seed, That then it ſhall and may be Lawful, to and for the Grand-Jury of ſuch County, where ſuch

Piece

Piece or Parcel of Ground shall be so Purchased or otherwise Assured, for the Use, and to the Intent aforesaid, at the General Assizes to be Held in and for such County, to Present any Sum or Sums of Money, not exceeding in the Whole, the Sum of Three hundred Pounds, to be Levyed, Raised and Paid, in the same and in like Manner, as other Publick Money is Raised and Paid in such Counties, and when such Money is so Raised and Paid, the same shall be Applied in the Erecting and Building such Publick Ware-House or Market-House, on such Piece or Parcel of Ground, for the several Uses and Purposes aforesaid; And after such Ware-House or Market-House shall be Built and Erected, it shall and may be then Lawful, to and for the Grand-Juries of such Counties, at the Assizes, to Present a Sum, not exceeding the Sum of Fifteen Pounds per Annum, for the Salary of an Officer to attend the said Ware-House or Market-House. CHAP. III.

And whereas the Assizes for some Counties within the Provinces of Leinster, Munster and Connaught, are Held within the Precincts or Limits of Counties of Cities, and Counties of Towns, in Places Appointed and particularly Provided for that Purpose, and Excluded from being Part of such Counties of Cities and Counties of Towns, by Reason whereof it may

CHAP. III.

happen, that no convenient Ground can be Purchased or otherwise Obtained, for Erecting and Building such Ware-House or Market-House, in the Places where such Assizes are Held, so as to be within the same County, and in such Case, Disputes may Arise, what Town shall be Deemed and Taken to be the Shire or County Town; To Prevent therefore such Inconveniences, and to Obviate all such Differences,

Be it Enacted by the Authority aforesaid, That the respective Grand-Juries of such Counties within the Provinces of Leinster, Munster, and Connaught, where the Assizes are held, within the Precincts or Limits of any County of a City, or County of a Town, if a convenient Piece or Parcel of Ground can be had or obtained in such County of a City, or County of a Town, by Purchase or other Assurance, to the Purposes aforesaid, may present such Sum or Sums of Money as aforesaid, for Building and Erecting such publick Ware-house or Market-house, in such City or Town, for the Uses and Purposes aforesaid, and for the Salary of the Officer attending the same. And such Ware-house or Market-house, when built, shall be esteemed and taken to be the publick Ware-house and Market-house of the County erecting the same, in as full a Manner as if such Ware-house or Market-house was built in the Shire Town, and shall from Time

Time to Time be repaired by such County, by Presentment of the Grand-Jury, notwithstanding such Ware-house or Market-house lies in a different County, any thing herein before contained to the contrary notwithstanding. CHAP. III.

And whereas the cutting of Sail-cloth through the Middle of the Piece, to prevent the obtaining of the Præmium more than once for the same Sail-Cloth, hath been found hurtful to the Hempen Manufacture of this Kingdom, for Remedy whereof, Be it Enacted by the Authority aforesaid, That from and after the twenty fifth Day of December, which shall be in the Year of Our Lord One thousand seven hundred and forty three, no Canvas or Sail-Cloth shall be cut for the purpose aforesaid; And that no Person shall be entitled to any Præmium for any Canvas or Sail-Cloth, other than such Sail-Cloth as shall be produced to the proper Officer of the Custom-House, having twenty double Threads, being part of the Warp left in Loops, and without knotting at the Middle of that End of the Webb which is last in Weaving, which Loops or double Threads, the Officers before whom such Sail-Cloth is produced, are hereby required to Cut away; Which said Loops or Double Threads are to be made by Warping them from one Single Bobbin, and by putting each Double Thread through the same Split of the Reed, and

Chap. III.

by cutting the Geers, through which the Double Threads pass, when the Webb is woven: And no Collector, or other Officer of the Customs, shall sign any Debenture or Certificate, to obtain a Præmium for any Canvas or Sail-Cloth, the Loops of which have been so Cut, or for which the Præmium has been once allowed.

And whereas the Laws now in being, relating to the Breadths of Linen Cloths, have been found ineffectual, Be it therefore Enacted, by the Authority aforesaid, That it shall and may be Lawful for the Trustees of the Linen Manufacture, or any Seven or more of them, by Writing under their Hands and Seals, to Authorise two or more of their Officers, from the Hours of Ten o'Clock in the Morning, to Five in the Afternoon, to Enter into the several Apartments in the Linen-Hall, and other Shops, Stalls and Places, wherein Linen Cloth shall be exposed to Sale, within the City of Dublin, and Suburbs thereof, and within the Liberties of St. Sepulchres, Thomas Court and Donore, after the Twenty fifth Day of March next, and to Seize all Linen Cloths of the Set of Fourteen hundred and upwards, which shall not be of the Breadth of full Thirty six Inches or more, and to carry the Same before the said Trustees, or any Seven of them, who are hereby

hereby required to Condemn, and Cut every such Piece of Linen Cloth into short Lengths, not exceeding Seven Yards, which said short Lengths shall be delivered back to the Owner of the same, or his Order, such Owner paying to the said Trustees, the Penalty of Ten Shillings for every Piece of Cloth so Condemned and Cut; the Money so Forfeited to go to the Person Seizing the said Cloth. CHAP. III.

And for the more effectual preventing Præmiums for Sail-Cloth being obtained oftner than Once, and to Restrain all Persons from Fraudulently Exporting Sail-Cloth made of Foreign Flax, or Foreign Hemp, as if the same were made of Flax or Hemp of the Growth of this Kingdom, Be it Enacted by the Authority aforesaid, That all Persons Exporting Sail-Cloth, and Demanding Præmiums for the Same, shall produce Certificates, under the Hand and Seal of the Grower or Raiser of Flax or Hemp, Testifying in what Place and County the Flax and Hemp, of which the Sail-Cloth, for which they Demand a Præmium, did Grow, and the Quantity or Quanties the said Grower did Sell to the said Person so Exporting; And then the proper Officer at the Custom-House, shall Cause a Stamp with this Impression, viz. DEBENTURE PAID, with Figures denoting the Year,

CHAP. III.

done in Lamp Black and Oyle, well Boyled and Wired together, to be fairly Impressed upon the Salvage of each Bolt of Sail-Cloth, when Rolled up, and close Tied together, so that the same may be Legible.

AN

CHAP. IV.

AN

ACT

For the more Effectual

TRANSPORTATION

OF

Felons and *Vagabonds.*

G. II. R.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Most Excellent Majesty, at the *King's-Arms* and *Two Bibles* in *Essex-Street*, MDCCXLIII.

AN

ACT

For the more effectual

TRANSPORTATION

OF

Felons and Vagabonds.

GEO. R.

DUBLIN:

Printed by Graisberry and Campbell, Printers to the King's
Most Excellent Majesty, at the King's Arms and Two
Bibles in Eyre Street. MDCCXLIII.

AN

ACT

FOR

The more Effectual Tranſportation of Felons and Vagabonds.

CHAP. IV.

WHEREAS the ſeveral Acts of Parliament paſſed in this Kingdom, for Tranſporting Felons and Vagabonds to His Majeſty's plantations in America, have been Eluded and in a great meaſure Rendred Ineffectual, by the Diſhoneſty and Miſbehaviour of the Maſters of the Ships Employed by the Perſons who Contract for Tranſporting ſuch Felons and Vagabonds according to the ſaid ſeveral Acts, by their Fraudulently Landing and putting on Shore, the ſaid Felons and Vagabonds in ſome Part of this Kingdom, or ſome Part of Europe.

CHAP. IV.

For Remedy whereof, Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the Twenty fifth Day of March, in the Year of Our Lord God, One thousand seven hundred and forty four, if any Master or Masters of Ship or Ships who shall undertake to Transport any such Felons or Vagabonds, who shall be Ordered to be Transported to any of His Majesty's Plantations in America, shall Fraudulently Land or put on Shore, in any part of this Kingdom, or any part of Europe, any such Felons or Vagabonds undertaken by him or them to be Transported, All and every such Person and Persons so Landing or putting on Shore, any such Felons or Vagabonds being thereof lawfully Convicted upon Indictment for the aforesaid Offence, shall suffer Death as in Cases of Felony without benefit of Clergy.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fifth Day of March, in the Year of Our Lord God, One thousand seven hundred and forty four, all and every Person and Persons who shall Contract pursuant to any of the said Acts,

for

for Tranſporting Felons or Vagabonds, CHAP. IV.
ſhall, together with Two Solvent and Sufficient Perſons, Enter into and perfect a Bond or Recognizance, to be Depoſited with the Sheriff or ſuch Perſon or Perſons with whom he or they ſhall Contract, of the Penalty of Ten Pounds Sterling, for every Felon and Vagabond ſo Contracted for, Conditioned to Receive and Take, ſuch Felon or Felons, Vagabond or Vagabonds, from the Sheriff or Goaler, or other Perſon or Perſons, in whoſe Cuſtody he, ſhe or they then ſhall be, and to Convey him, her or them, on Board ſome Veſſel or Ship, then bound immediately for ſome Part of His Majeſty's Plantations beyond the Seas, and to Tranſport and Land him, her or them, into ſome Part of the ſaid Plantations, unleſs prevented by the Party's Death, the Caſualties of the Sea, or being taken by an Enemy; Which ſaid Bonds or Recognizances ſhall be reſpectively Delivered and Diſpoſed of, in ſuch Manner and Form, and for ſuch Ends, Intents and Purpoſes, as is Directed in and by an Act made in the Second Year of the Reign of Her late Majeſty Queen Anne, Intituled, An Act for the Reviving An Act for taking away the Benefit of Clergy in ſome Caſes, and for Tranſporting Felons, concerning Bonds and Recognizances, Directed in and by the ſaid Act, To be Entered into by Merchants or Perſons deſiring ſuch Con-

CHAP. IV.

dict, Felon or Felons, as is or are for that purpose Mentioned in the said Act to be Delivered to them.

And be it Enacted by the Authority aforesaid, That when any Offence against this Act shall be committed, the Offender or Offenders shall and may be Tried for the same in any County of this Kingdom.

AN

CHAP. V.

AN

ACT

TO

Amend and make more Effectual the Laws to prevent the Maiming, Killing and Deſtroying of Cattle, and to prevent Frauds committed by Butchers Dreſſing Meat for Sale.

GII R

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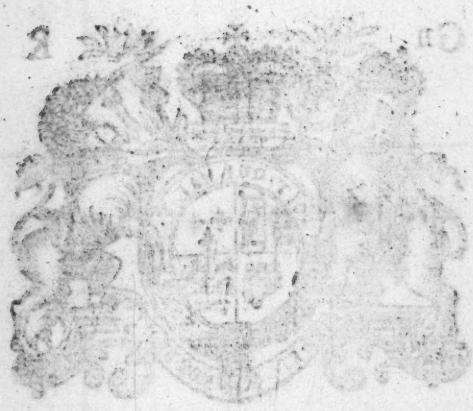
AN

ACT

TO

Amend and make more Effectual the Laws to prevent the Maiming, Killing and Defroying of Cattle, and to prevent Fraud, committed by Butchers Dreffing Meat for Sale.



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AN

ACT

TO

Amend and make more Effectual the Laws to prevent the Maiming, Killing and Deſtroying of Cattle, and to prevent Frauds committed by Butchers Dreſſing Meat for Sale.

CHAP. V.

WHEREAS many Evil-minded Perſons have of late Maliciouſly Killed many Sheep, and thereout taken the Fat leaving the Carcaſſes behind;

And whereas ſome Doubts have Ariſen upon an Act of Parliament made in this Kingdom in the Second Year of His late Majeſty King George the Firſt's Reign, Intituled, An Act for making more Effectual, An Act Intituled, *An Act to prevent the Maiming of Cattle:*

CHAP. V.

And whereas the said Act doth not Extend to Accessaries either before or after the Fact;

Be it Enacted and Declared by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, That all and every Person and Persons who shall Kill, Cut, Open or Skin, any Bull, Ox, Cow, Steer, Bullock, Heifer, Calf, Sheep or Lamb, or any Horse, Mare, Gelding, Colt, Filly, Ass or Mule, with an Intent to Steal the whole or any part of the Fat, Flesh, Skin or Carcass thereof, or shall thereout take the Fat, or take away any part of the Flesh, or Carcass, or Skin thereof, with an Intent to Steal the same, or shall Maliciously Kill, Maim or Wound, with an Intent to Destroy any one or more of the Cattle aforesaid, and his, her and their Accessaries before the Fact, and all and every Person and Persons who shall Receive or Buy, any Tallow, Fat or Suet, or the Skin or Carcass, or any part thereof, of any such Beast or other Cattle aforesaid, from such Offender or Offenders, knowing the same to be so unlawfully Taken, being thereof Convicted shall suffer Death as in Cases of Felony without Benefit of Clergy or of any Statute.

And

CHAP. V.

And for the better Discovery and Conviction of such Offenders; Be it Enacted by the Authority aforesaid, That it shall and may be lawful, to and for the Grand-Juries of the several and respective Counties at the Assizes, and for the Grand-Juries of the County of Dublin, and County of the City of Dublin, at their Quarter-Sessions respectively, to Raise by Presentment as other County Charges are Raised, such Sum or Sums of Money as they shall think fit, not exceeding the Sum of Five Pounds, for each Offender Convicted of any the Offences aforesaid, to be Paid as a Reward and Encouragement to any Person or Persons who shall Discover and Prosecute to Conviction any such Offender or Offenders, and in Case there shall be Two or more concerned in the Discovery or Prosecuting to Conviction such Offender or Offenders, the Justice or Justices before whom such Offender or Offenders shall be Tryed and Convicted, may appoint Apportion and Distribute such Sum or Sums of Money, amongst such Discoverers or Prosecutors in such Share and Shares, as he or they shall think fit, and not otherwise.

Provided allways, And be it Enacted by the Authority aforesaid, That if any Person who shall be Guilty of any the Offences aforesaid, shall within Ten Days af-

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ter such Offence Committed, and before his or her Conviction, first Discover one or more of his or her Accomplices therein, so as such Accomplice or Accomplices, be Convicted of such Offence, the Offender so first Discovering, shall be clearly Acquitted and Discharged of and from such, his or her Offence, and shall be Entitled to the Reward, or such Share thereof, as any other Discoverer could or might be Intitled unto, by Virtue of this Act, Any Thing herein before Contained to the Contrary notwithstanding.

And whereas great Abuses are Committed by Butchers and other Persons in their Killing and Dressing of Meat for Sale, in the several Markets and other Places in this Kingdom, Be it Enacted by the Authority aforesaid, That no Butcher or other Person or Persons, who shall Kill or Slaughter any Ox, Cow, Sheep, Swine, Calf, Lamb, or other Cattle for Sale, shall Slaughter, Kill or Dress the same within the Markets, or where they keep Stalls; And that every Butcher, and other Person and Persons, who shall Kill or Slaughter any Ox, Cow, Sheep, Swine, Calf, Lamb or other Cattle for Sale, shall Slaughter and Flea the same in the most Clean and plain Manner, and not on any Pretence whatsoever, Raise or Blow the same, or Thrust any Scrivers, so as to be Concealed

cealed therein, or Grease, Varnish, or any Way Lay on the Flesh of such Ox, Cow, Sheep, Swine, Calf, Lamb or other Cattle, any Fat, Tallow, Suet, Butter, Grease, or other Matter whatsoever, or use any Fraudulent and Deceitful Art to Set off the Same, Contrary to the true Intent and Meaning of this Act; And that no Butcher, or other Person or Persons whatsoever, do Sell or Expose to Sale, any Ox, Cow, Sheep, Swine, Calf, Lamb or other Cattle Killed, but what shall be Killed and Dressed in the most Plain Manner, and according to the true Intent and Meaning of this Present Act; And that if any Butcher, or other Person or Persons as aforesaid shall, at any Time or Times, from and after the Twenty fifth Day of March, One thousand seven hundred and Forty four, Offend in all or any of the Premisses, he, she or they so Offending, and being Convicted upon Oath, of the said Offence, before One or more of His Majesty's Justices of the Peace of any County, or any Chief Magistrate of any City or Corporation, or before the Seneschals of Saint Sepulchres, Thomas-Court and Donore, within their Jurisdictions and Liberties respectively, by One or more Witness or Witnesses, which Oath the said Justice or Justices, or Chief Magistrate and Seneschal, are hereby Impowered and Required to Administer, or upon Confession of the Offender or Offenders, before such

CHAP. V.

such Justice or Justices, Chief Magistrate or Seneschal, or on View by such Justice or Justices, Chief Magistrate or Seneschal, the said Party or Parties so Offending, shall Forfeit and Loose such Ox, Cow, Sheep, Swine, Calf, Lamb or other Cattle, or part thereof Killed or Dressed contrary to the Directions of this Act, to be Disposed of by such Justice or Justices, Chief Magistrate or Seneschal, before whom such Offender or Offenders shall be Convicted, amongst the Poor of the Parish or Parishes where the said Offence shall be Committed; And if such Beast, or part thereof so Forfeited, be not of the full Value of Ten Shillings, then and in such Case, such Butcher, or other Person or Persons as aforesaid, shall, over and above the said Forfeiture, pay for every such Offence, the Sum of Five Shillings, to be Levied by Distress and Sale of the Offenders Goods and Chattels, the Overplus to be Restored after all Charges of the said Distress Defrayed, the said Penalty of Five Shillings to be Paid to the Person or Persons who shall Discover and Prove the said Offence, and every Constable of the Parish or Chief Constable of the Barony where such Offence shall be Committed, are hereby Authorized and Required to Levy the same accordingly, by Warrant under the Hand and Seal of such Justice or Justices, Chief Magistrate or Seneschal, and in Case such Offender or Offenders shall not have Goods or Chattels

Chattels ſufficient for the Levying of the ſaid Penalty, That then it ſhall and may be lawful for the Juſtice or Juſtices, Chief Magiſtrate or Seneſchal before whom ſuch Conviction ſhall be, by Warrant under his or their Hand and Seal, to appoint ſuch Offender or Offenders to be Publickly Whipt, through ſuch Corporation or next Market Town, on the next Market Day immediately following, or Impriſoned for any Time not exceeding Fourteen Days, at the Diſcretion of ſuch Juſtice or Juſtices, Chief Magiſtrate or Seneſchal. CHAP. V.

CHAP. VI.

AN

ACT

TO

Take away the Benefit of Clergy from any Perſon that ſhall by Night or by Day-time, Felonioufly and Privately Steal any Goods out of any Shop, Ware-Houſe, Tan-Yard, Drying-Houſe, Cellar, or Out-Houſe, though not adjoyning to any Dwelling-Houſe, or off of Quays; And to Encourage Perſons to Apprehend ſuch Felons and other Robbers.

G. II. R.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*, MDCCXLIII.

CHAP. VI.

AN

ACT

TO

Take away the Benefit of Clergy from any Perſon that ſhall, by Night or by Day Time, felonioufly and privately Steal any Goods out of any Shop, Ware-Houſe, Tan-Yard, Drying-Houſe, Cellar, or Out-Houſe, though not adjoining to any Dwelling-Houſe, or off of Quays; And to Encourage Perſons to Apprehend ſuch Felons and other Robbers.

CHAP. VI.

WHEREAS the Crimes of Stealing Goods privately out of Shops, Ware-Houſes, Tan-Yards, Drying-Houſes, Cellars, Coach-Houſes, Stables, and other Out-Houſes, and of Stealing Goods of Merchants and others left on Quays and Wharfs in the Cities and Port-Towns of this King-

CHAP. VI.

dom, are of late Years become common, occasioned by the too great Lenity of the Law now in being, and for want of Encouragement to such as shall Cause such Malefactors to be Apprehended and Prosecuted to Conviction, and to such as shall be concerned in the Committing such Offences, to Discover their Accomplices therein, for Preventing thereof hereafter, Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Present Parliament Assembled, and by Authority of the same, That all and every Person or Persons that shall at any Time or Times, by Night or in the Day Time, from and after the Twenty fifth Day of March, which shall be in the Year of Our Lord One thousand seven hundred and forty four, Privately and Feloniously Steal any Goods, Wares, and Merchandizes, to the Value of Five Shillings or more, out of any Shop, Tan-Yard, or Drying-House, belonging to a Tanner, Ware-House, Cellar, Coach-House, Stable, or other Out-House, though not adjoining to the Dwelling-House of the Owner thereof, although such Shop, Ware-House, Tan-Yard, Drying-House, Cellar, Coach-House, Stable, or Out-House, be not actually broke open by such Offender or Offenders, and although the Owners of such Goods,

Goods, or any other Person or Persons be, or be not, in such Shop, Ware-House, Tan-Yard, Drying-House, Cellar, Coach-House, Stable, or other Out-House, to be put in Fear, or shall feloniously Steal any Goods to the Value of Five Shillings or more, left on any Quay, or in any Wharf in this Kingdom, by any Merchant or other Person, or shall Assist, Hire, or Command any Person or Persons to Commit such Offence or Offences, being thereof Convicted or Attainted, by Verdict or Confession, or being Indicted thereof shall stand mute, or will not directly answer to the Indictment, or shall peremptorily Challenge above the Number of Twenty Persons returned to be of the Jury, shall be absolutely debarred and excluded of and from the Benefit of the Clergy, or of any Statute. CHAP. VI.

And be it further Enacted, by the Authority aforesaid, that after the said Twenty fifth Day of March, which will be in the Year of Our Lord One thousand seven hundred and forty four, the Grand-Juries at the Assizes of the County, or County of the City or Town where any of the said Offences shall be Committed, and the Grand Juries at the Quarter-Sessions for the County of Dublin, and County of the City of Dublin, may make Presentments, if they

CHAP. VI.

think fit, for raising of any Sum, not exceeding the Sum of Five Pounds, for every Person or Persons who shall Apprehend any Person or Persons guilty of any of the said Felonies, and prosecute such Person or Persons so Apprehended to Conviction; Which Presentment shall be confirmed by the Judge or Judges of Assizes; And if in the County of Dublin, or County of the City of Dublin, by the Justices of the Peace at the Quarter Sessions for the said County of Dublin, or County of the City of Dublin.

And be it further Enacted by the Authority aforesaid, that if any Person or Persons from and after the said Twenty fifth Day of March in the said Year of Our Lord One thousand seven hundred and forty four, shall Commit any Felony or Felonies in Stealing any Wares or Goods, from whom the Benefit of the Clergy is hereby taken away, and being out of Prison, shall Discover and Apprehend, or Cause to be Discovered and Apprehended two or more Persons, who hereafter shall commit any such Felony or Felonies as aforesaid, and shall be Convicted thereof, every such Discoverer shall have and be intitled unto His Majesty's most Gracious Pardon for every such Felony or Felonies as aforesaid, which he, she, or they shall have committed,

mitted at any Time or Times before such Diſcovery made; Which Pardon ſhall likewiſe be a good Barr to any Appeal brought or to be brought for any ſuch Felony or Felonies. CHAP. VI.

And whereas by an Act Made in the Thirteenth Year of His preſent Majeſty's Reign, Intituled, An Act for the better Regulating the Pariſh-Watches, and Amending the High-Ways in this Kingdom, and for Preventing the Miſapplication of Publick Money; It is amongſt other Things Enacted, That a Sum of Money not exceeding Five Pounds, ſhall be Given as a Reward to every Watch-man, or to any other Perſon or Perſons, who ſhall Apprehend and Lodge in Goal, any Thief or Robber, Concerned in any Robbery, for which Death by Law ought to be Inflicted, who ſhall be after Convicted of the ſaid Felony, and that the ſaid Money ſhall be Raiſed by Preſentment of the Grand-Jury, at the Aſſizes of the County where ſuch Robbery or Felony, for which Death ought to be Inflicted, ſhall be Committed, as other Country Charges are Raiſed.

Be it Enacted by the Authority aforeſaid, That the ſaid Clauſe be, and the Same is hereby Repealed, and that from henceforth, a Sum not exceeding Five Pounds, ſhall be Given as a Reward to any Perſon or Perſons, who ſhall Apprehend and Proſecute to Conviction, any

CHAP. VI.

Perſon Guilty of Robbery in any Part of this Kingdom, for which no Reward was Given by any former Law, before the Making the ſaid Recited Act of Parliament, which ſaid Sum, not exceeding five Pounds, ſhall be Raiſed by Preſentments of the Grand-Jury at the Aſſizes of the County wherein ſuch Robbery ſhall be Committed, as other County Charges are Raiſed, or at the Quarter-Seſſions for the County of Dublin, or County of the City of Dublin reſpectively, if ſuch Robbery ſhall be Committed there.

And be it Enacted by Authority aforeſaid, That there ſhall be Paid to every Conſtable, who, by Virtue of a Mittimus under the Hand and Seal of any Juſtice of the Peace, for Treaſon or Felony, ſhall Carry to, and ſafely Lodge in the County Goal, any Perſon Committed to him by ſuch Juſtice, the Sum of Three Pence a Mile for each Mile, ſuch Perſon ſo Committed, ſhall be Carryed; And alſo, that the like Sum ſhall be Paid to each of Two Proteſtants Armed with Fire-Arms, who ſhall go along with ſuch Conſtable to the County-Goal to Guard ſuch Priſoner or Priſoners, which ſaid Sums ſhall be Raiſed by the Grand-Juries of the reſpective Counties in Manner aforeſaid; And in Caſe there ſhall be more Priſoners than one, to be Conveyed to Goal, then the ſaid

said Justice shall Appoint as many Protestants with Fire-Arms, to Guard such Prisoners, as shall be Necessary for their safe Conveyance to Goal, each of whom shall be Intitled to the like Sums of Three Pence a Mile, to be Raised as aforesaid. CHAP. I.V

CHAP. VII.

AN

ACT

FOR

Continuing *and* Amending

SEVERAL

LAWS

HERETOFORE MADE,

Relating to His MAJESTY's Revenue, and for more Effectual Preventing Frauds in His Majesty's Customs and Excise.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Most Excellent Majesty, at the *King's Arms* and *Two Bibles* in *Essex-Street*. MDCCXLIII.

AN

ACT

FOR

Continuing and Amending ſeveral Laws heretofore Made, Relating to His Majeſty's Revenue, and for more effectual Preventing Frauds in His Majeſty's Cuſtoms and Exciſe.

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WHEREAS the ſeveral Statutes herein after mentioned, have been found to be of General Uſe, but are now near Expiring;

Be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, And by the Au-

CHAP. VII.

thority of the ſame, That an Act of Parliament Made in this Kingdom, in the Sixth Year of his late Majeſty King George the Firſt, Intituled, An Act for the more Effectual Preventing the Running of Goods, and for the further Preventing Frauds Committed in His Majeſty's Cuſtoms; And One other Act of Parliament Made in this Kingdom, in the Twelfth Year of the Reign of His ſaid late Majeſty King George the Firſt, Intituled, An Act to Prevent the Fraudulent and Clandeſtine Importing of Goods; And alſo ſuch Parts of One other Act of Parliament, Made in this Kingdom, in the Seventh Year of His preſent Majeſty's Reign, Intituled, An Act for Continuing and Amending an Act Intituled, *An Act for the more Effectual Preventing ſeveral Frauds and Abuſes, Committed in His Majeſty's Cuſtoms and Exciſe*; *And for Settling the Rates of certain Goods and Merchandizes, not particularly Valued in the Book of Rates*; And for Continuing and Amending an Act, Intituled, *An Act for the better Securing and Collecting His Majeſty's Revenue*; *And alſo, for Preventing Frauds in the Collection thereof*, as are not altered by an Act of Parliament Made in this Kingdom, in the Eleventh Year of his preſent Majeſty's Reign, Intituled, An Act for Continuing and Amending ſeveral Laws heretofore Made, Relating to His Majeſty's Revenue, and the more effectual Preventing the Running of Goods; And alſo, ſo much of that Part of One other Act of Parliament, Made in the Ninth

Ninth Year of His present Majesty's Reign, Intituled, An Act for Continuing and Amending several Statutes, now near Expiring; **Whereby it is Enacted,** That where any Goods Exciſable, ſhall be Unſhipped or Landed, out of any Veſſel or Boat, not Exceeding the Burthen of Twenty five Tuns, not being in Leak or Wreck before due Entry Made of ſuch Veſſels or Boats, and of all the ſaid Goods, at the Cuſtom-Houſe or Place Allowed for Landing, where ſuch Veſſel or Boat, ſhall happen to Unſhip or Unlade, or at Unlawful Hours, or without the Knowledge, Privity and Conſent of the Proper Officer or Officers, who ſhould have Attended the Unlading of ſuch Goods; All ſuch Veſſels and Boats, together with their Tackle and Furniture, ſhall be Forfeited; Which ſaid Forfeiture may be Sued for and Recovered, in ſuch Manner and Form, as is Mentioned in an Act Made in the Fourteenth Year of the Reign of King *Charles* the Second, Intituled, *An Act for the Settling of the Exciſe or New Impoſt, upon His Majeſty His Heirs and Succeſſors, according to the Book of Rates therein Inſerted*; With like Remedy of Appeal, as is not Altered or Repealed by this Act: **And likewiſe, ſuch parts of One other Act of Parliament, Made in this Kingdom, in the Firſt Year of His preſent Majeſty's Reign, Intituled,** An Act for the more effectual Preventing ſeveral Frauds and Abuſes Committed in His Majeſty's Cuſtoms and Exciſe; and for Settling the Rates of Certain Goods and Merchandizes, not particularly Valued in the Book of Rates, **as are not Altered**

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tered or Repealed by an Act of Parliament Made in the Third Year of his present Majesty's Reign, Intituled, An Act for the Encouragement of Tillage, and better Employment of the Poor; and also, for the more Effectual putting in Execution An Act, Intituled, *An Act to Encourage the Draining and Improving of Boggs and Unprofitable Low Grounds, and for Easing and Dispatching the Inland Carriage and Conveyance of Goods from one Part to another within this Kingdom*; and also, For Laying Several Duties upon Coaches, Berlins, Chariots, Calashes, Chaises and Chairs, and upon Cards and Dice, and upon Wrought and Manufactured Gold and Silver Plate, Imported into, or Made in *Ireland*, for the Purposes therein Mentioned; and also, for Repealing the Duties Payable upon the Exportation of Wooll, Bay-Yarn and Woollen-Yarn, out of this Kingdom for *England*; And likewise such Parts of One other Act of Parliament Made in this Kingdom, in the Fifth Year of his present Majesty's Reign, Intituled, An Act for the better Securing and Collecting His Majesty's Revenue, as are not Altered or Repealed, by an Act of Parliament Made in the Seventh Year of his present Majesty's Reign, Intituled, an Act for Continuing and Amending an Act, Intituled, *An Act for the more Effectual Preventing Several Frauds and Abuses, Committed in His Majesty's Customs and Excise; And for Settling the Rates of Certain Goods and Merchandizes not particularly Valued in the Book of Rates*; and for Continuing and Amending an Act, Intituled, *An Act for the better*

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better Securing and Collecting His Majesty's Revenue; And also for Preventing Frauds in the Collection thereof; **And also such parts of the said Act Made in the Eleventh Year of his present Majesty's Reign, Intituled,** an Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more Effectual Preventing the Running of Goods; **As are not Altered by An Act of Parliament made in the Thirteenth Year of his present Majesty's Reign, Intituled,** An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more Effectual preventing Frauds in His Majesty's Customs and Excise; **And also such parts of the said Act made in the Thirteenth Year of his present Majesty's Reign, Intituled,** An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more Effectual preventing Frauds in His Majesty's Customs and Excise, **as are not Altered by an Act of Parliament made in the Fifteenth Year of his present Majesty's Reign, Intituled,** An Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more effectual preventing Frauds in His Majesty's Customs and Excise; **And also the said Act in the Fifteenth Year of his present Majesty's Reign, Intituled,** an Act for Continuing and Amending several Laws heretofore Made, Relating to His Majesty's Revenue, and the more effectual preventing Frauds in His Majesty's

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Customs and Excise; Shall be and Remain in full Force, for the Term of Two Years, from the respective Expirations of the said several Acts, and from thence to the End of the then next Ensuing Session of Parliament.

And whereas the Clandestine Running of Goods, Wares, Manufactures and Merchandizes, the Growth and Produce of Foreign Countries, into this Kingdom, is greatly Facilitated by Wherries and Boats;

Be it Enacted by the Authority aforesaid, That every Wherry or Boat, which shall be at any Time hereafter Seized and Forfeited for Running, or Aiding to Run any Goods, Wares, Manufactures or Merchandizes, the Growth or Produce of any Foreign Country, into this Kingdom, shall, within the Space of Ten Days after such Forfeiture, if there be no Appeal, and in Case of an Appeal, then within Five Days after the Sentence of Condemnation shall have been Affirmed, or the Appeal Dismissed, be publickly, Openly and Effectually Burnt together with all her Masts and Rigging, in the Presence of the Collector of the Port, or Head Officer of the District where such Wherry or Boat shall be Seized and Forfeited; And every such Collector or Officer, who shall Neglect or

Refuſe to Attend, and Cauſe ſuch Wherry or Boat, with her Maſts and Rigging, to be Burnt and Deſtroyed by Fire, ſhall Forfeit his Employment, and the Sum of One hundred Pounds, to be Recovered by Civil Bill, before the Juſtice or Juſtices of Aſſize for the County where ſuch Port or Diſtrict lies, and in the County of the City of Dublin, and County of Dublin, before the Juſtices of the Peace at their Quarter-Seſſions reſpectively, by any Perſon who ſhall firſt Sue for the Same; Provided ſuch Suit be Commenced at the next Aſſizes or Seſſions after ſuch Neglect or Refuſal, and not otherwiſe. CHAP. VII.

And whereas great Frauds are Practiſed by Common Brewers, Inn-keepers, Victuallers and Retailers of Beer and Ale, by Brewing in Brew-Houſes belonging to Private Perſons, and Clandeſtinely Conveying the Liquor ſo Brewed into their own Houſes, by which Means the Beer and Ale ſo Brewed, is Concealed from the Gauge and View of a Proper Officer;

For Remedy whereof, Be it Enacted by the Authority aforeſaid, That no Common Brewer, Inn-keeper, Victualler or Retailer of Beer or Ale do, or ſhall, after the Twenty fifth Day of March, which ſhall be in the Year of Our Lord,

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One thouſand ſeven hundred and forty four, Brew or Make, or Cauſe to be Brewed or Made, any Beer or Ale for Sale, or for his or their own Uſe, in any Brew-Houſe or Place for Brewing belonging to any Private Perſon or Perſons whatſoever; And that no Private Perſon or Perſons whatſoever, do, or ſhall, after the ſaid Twenty fifth Day of March, which ſhall be in the Year of Our Lord, One thouſand ſeven hundred and forty four, Knowingly or Willingly Permit or Suffer any Common Brewer, Inn-keeper, Victualler or Retailer of Beer or Ale, to Brew or Make, or Cauſe to be Brewed or Made, any Beer or Ale for Sale, or for the Uſe of ſuch Common Brewer, Inn-keeper, Victualler or Retailer, in his, her or their Brew-Houſe or Place of Brewing, upon Pain that every ſuch Common Brewer, Inn-keeper, Victualler and Retailer of Beer and Ale, and every Private Perſon, for every Offence Contrary hereto reſpectively, Forfeit and Loſe the Sum of Ten Pounds Sterling, to be Recovered by Civil Bill before the Juſtice or Juſtices of Aſſize, for the County where ſuch Offence ſhall be Committed, and in the County of the City of Dublin, and in the County of Dublin, before the Juſtices of Peace at their Quarter-Seſſions by any Perſon who ſhall Firſt Sue for the Same, of which one Moiety to go to the King's Majeſty, his

his Heirs and Succeſſors, and the other to be for the Uſe of the ſaid Informer. CHAP. VII.

And whereas great Frauds are Practiſed by Diſtillers of Aquavitæ and other Strong Waters for Sale, by Concealing their Waſh and Low Wines from the Officers Appointed to View and Gauge the Same;

For Remedy whereof, Be it Enacted by the Authority aforeſaid, That from and after the ſaid Twenty fifth Day of March, which ſhall be in the Year of Our Lord, One thouſand ſeven hundred and forty four, every Diſtiller or Maker of Low Wines, Spirits, Aquavitæ and Strong Waters, who, after the ſaid Twenty fifth Day of March, in the Year of Our Lord, One thouſand ſeven hundred and forty four, ſhall Diſtill or Make Low Wines, Spirits, Aquavitæ or Strong Waters, ſhall, from Time to Time, and as often as ſuch Diſtiller ſhall be Required by the Officer or Officers Appointed to View, Gauge, and take an Account of the Same, ſhew to ſuch Officer or Officers, all his, her and their Waſh and Low Wines; And in Caſe ſuch Officer or Officers, ſhall afterwards find any Waſh or Low Wines, of the Stock then in Hand, over and above the Quantity ſo ſhewn as aforeſaid, ſuch Diſtiller and Diſtillers ſhall reſpectively, Forfeit and

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Lose the Sum of Twenty Shillings Sterling, for every Nine Gallons of Wash, and the like Sum of Twenty Shillings Sterling, for every Three Gallons of Low Wines which shall be so found, over and above the Quantity that shall have been shewn as aforesaid.

And for the more Effectual Preventing the Running of Goods, Be it Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of March, which shall be in the Year of Our Lord, One thousand seven hundred and forty four, every Master of any Ship or Vessel, Arriving in any Port of this Kingdom, shall, within Forty eight Hours after he is Required by any Officer of such Port, Deliver to the Collector or Surveyor of the said Port, a true Account of his Lading, according to the several and respective Bills of Lading of such Ship or Vessel, upon Pain of Forfeiting, in Case of Refusal, the Sum of One hundred Pounds Sterling.

Provided allways, That nothing herein Contained shall be Construed to Prevent the Master of such Ship, notwithstanding such Account Delivered in as aforesaid, from having such Time to Invoice his Ship, or to go to any other Port, as if this Act had never been made.

And

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And be it further Enacted by the Authority aforesaid, That all the Forfeitures and Penalties Inflicted by this Act, other than such as are otherwise by this Present Act Appointed, shall and may be Sued for and Recovered, Levied and Applied, in such Manner and Form, and by such Ways and Methods, as are Prescribed and Appointed in and by an Act of Parliament Made in the Fourteenth Year of the Reign of King Charles the Second, Intituled, An Act for Settling of the Excise or New Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates therein Inserted, With like Remedy of Appeal to the Party or Parties that shall think him or themselves Aggrieved or Injured, as by the said Act is provided.

And be it further Enacted by the Authority aforesaid, That all and every Person and Persons who shall, from and after the Twenty fifth Day of March, in the Year of Our Lord, One thousand seven hundred and forty four, Give or Offer any Bribe, Recompence or Reward whatsoever, to any Officer or Officers of His Majesty's Customs or Excise, to Connive at, Consent to, or permit any Goods or Merchandizes to be Run into this Kingdom, or to Connive at any False or Short Entry of such Goods or

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Merchandizes, shall, for every such Offence, being Indicted and Convicted thereof, Forfeit to his Majesty, his Heirs and Successors, the Sum of One hundred Pounds Sterling; And likewise, that all and every Officer and Officers of his Majesty's Customs, or Excise, who shall, at any Time after the said Twenty fifth Day of March, One thousand seven hundred and forty four, Accept of or Take any Bribe, Recompence or Reward whatsoever, to Connive at, Consent to, or Permit any Goods or Merchandizes to be Run into this Kingdom, or to Connive at, Consent to, or Permit any False or Short Entry of the same, (or to do any other Act, whereby his Majesty may be Defrauded of the Duties or any part thereof, Due and Payable for such Goods or Merchandizes,) shall, upon Conviction as aforesaid, for every such Offence, Forfeit to his Majesty, his Heirs and Successors, the Sum of One hundred Pounds Sterling.

And whereas great Frauds have been committed in his Majesty's Revenue, by counterfeiting Inland Permits and Coast Cockets;

For Remedy whereof, Be it enacted by the Authority aforesaid, That if any Person or Persons shall at any Time from and after the said Twenty fifth Day of

March One thouſand ſeven hundred and forty four, Counterfeit or Forge any Inland Permit, Let, Paſs, or Coaſt Cocket, for the Carriage of Goods, in Caſes whereby Laſt Permits, Let Paſſes, or Coaſt Cockets are required; Or ſhall Counterfeit or Reſemble any Impreſſion, Stamp, or Mark provided or appointed, or to be provided or appointed by the Commiſſioners of His Majeſty's Revenue for the Time being, or by any Three or more of them, to be put to, or upon any ſuch Permit, Let, Paſs, or Coaſt Cocket, or ſhall make Uſe of any ſuch Counterfeit or Forged Permit, or Coaſt Cocket, with ſuch Counterfeit Impreſſion, Stamp, or Mark, knowing the ſame to be Counterfeit, being thereof legally Convicted, by the Verdict of a Jury of Twelve Men, or upon his or their Confeſſion, ſhall be adjudged Guilty of Felony, and ſhall be Tranſported to ſome of His Majeſty's Plantations in America, there to continue for the Space of Seven Years. CHAP. VII.

And be it further Enacted by the Authority aforeſaid, That if any Perſon who ſhall be adjudged to be Tranſported, purſuant to this Act, ſhall at any Time within the Space of Seven Years after ſuch Tranſportation, be found at large in this Kingdom, without ſome lawful Cauſe, or not being licenſed thereto, by

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His Majesty, His Heirs and Successors, under His or Their Privy-Seal, or by the Chief Governor or Governors of this Kingdom for the Time being, such Person shall suffer Death as a Felon, without the Benefit of the Clergy, any Law or Statute to the contrary notwithstanding, and shall and may be Tried in any County of this Kingdom, where he shall be taken or apprehended.

Provided also, And be it further Enacted by the Authority aforesaid, That so much of this Act as is not mentioned to be for Continuing any former Act or Acts, Clause or Clauses in any former Act or Acts shall continue and be in Force for two Years from the Twenty fifth Day of March next, and from thence to the End of the then next Session of Parliament, and no longer.

CHAP. VIII.

AN

ACT

FOR

Continuing ſeveral Statutes now near Expiring, and for Amending other Statutes, and for other Purpoſes therein Mentioned.

G. II. R.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*, MDCCXLIII.

ACT

FOR

Confirming to each Shareholder now near
Expiring, and for Amending other Statutes,
and for other Purposes therein mentioned.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's
Most Excellent Majesty, at the King's-Arms and Two
Pillars in Eliza-Street. MDCCXLIII.

AN

ACT

FOR

Continuing ſeveral Statutes now near Expiring, and for Amending other Statutes, and for other Purpoſes therein mentioned.

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WHEREAS An Act was made in the Ninth Year of the Reign of His Preſent Majeſty, Intituled, An Act for the more Effectual aſſigning of Judgments, and for the more Speedy Recovery of Rents by Diſtreſs, which ſaid Act was Revived and Continued by another Act made in the Eleventh Year of His Preſent Majeſty, Intituled, An Act for Reviving, Continuing, Explaining, and Amending ſeveral Temporary Statutes, and for other Purpoſes therein mentioned, until the Twenty ninth Day of September One Thouſand ſeven hundred and forty four,

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and from thence to the End of the next Session of Parliament.

And Whereas an Act was made in the Fifteenth Year of the Reign of His present Majesty, intituled An Act for the more effectual Securing the Payment of Rents, and Preventing Frauds by Tenants, which said Acts are near expiring, but are thought fit to be Continued;

Be it therefore Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, that the said recited Acts, and all and every the Clauses, Artitles, and Provisoes therein contained be continued in full Force as they now stand, until the Year of Our Lord One thousand seven hundred and fifty five, and from thence to the End of the then next Session of Parliament, and no longer.

And Whereas an Act passed in this Kingdom, in the Tenth Year of King William, of Glorious Memory, Intituled, An Act to Encourage the Building of Houses, and making other Improvements on Church Lands, and to prevent Dilapidations, by which it was Enacted, that every Archbishop, Bishop, or other Ecclesiastical

tal Perſon whatſoever, that had ſince the Year One thouſand ſix hundred and ninety, or at any Time thereafter, ſhould Make, Build, Erect, Add to, or Repair any Houſe, Out-Houſe, Garden, Orchard, or other Neceſſary Improvement on his Demeſne, Glebe, or Menſal Land, that ſhould be Certified as in and by the ſaid Act is required, ſhould have and receive from his next and immediate Succeſſors ſuch Sum as in and by the ſaid Act is Directed and Appointed, which Act having been found by Experience not to Anſwer the Good Ends propoſed thereby, an Act paſſed in the Twelfth Year of his late Majeſty King George, Intituled, An Act to Amend and Explain an Act, Intituled, *An Act to Encourage Building of Houſes, and making other Improvements on Church Lands, and to prevent Dilapidations*, by which Act a further Encouragement was given to ſuch of the ſaid Perſons as ſhould Make, Build, Erect, Add to, or Repair any Houſe, Out-Houſes, Gardens, or other Neceſſary Improvements on their Demeſne, Glebe, or Menſal Lands, Purſuant to the Terms and Conditions therein mentioned, and it is among other Things thereby Enacted, That every Archbiſhop, Biſhop, or other Eccleſiaſtical Perſon, intended to Erect or Make any Building or Improvement, on his reſpective Demeſne, or Glebe Lands, ſhall at the leaſt Three Months before

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he begins the same, give unto the Person, or Persons, who by that, or the other above mentioned Act is, or are impowered to give them such Certificate as is therein mentioned, a Writing Subscribed with his Hand, in the Presence of Two Credible Witnesses, Setting forth the Length, Breadth, Height, and Thicknes of the Wall of such House or Houses as he Intends to Build, with the Number of Stories in them or each of them to be contained, together with the Situation of the Ground on which the same are to Stand, as also the Nature and Extent of all other Improvements which he so Intends to Make.

And Whereas by An Act made in the Ninth Year of His Present Majesty, Intituled, An Act for making more Effectual An Act to Amend and Explain An Act, Intituled, *An Act to Encourage Building of Houses, and making other Improvements on Church Lands, and to prevent Delapidations*, it is amongst other Things Recited, That the giving in such an Account (as by the last mentioned Act is required) three Months before any Buildings or Improvements were begun, hath not strictly been complyed with, and that so great a Space of Time for Considering of such intended Improvements is not found Necessary, It is Enacted, That the not having given in to the Person impowered to give a Certificate, an Account in Writing of such intended Buildings

ings and Improvements, three Months at least before they were begun, should no Ways Invalidate or make Void any Certificate before that Time given or hereafter to be given, for any Buildings or Improvements made in Pursuance of that and the aforesaid Acts, but that for the future it might be sufficient to give in such Account unto the Person Impowered to give a Certificate, one Fortnight before such Buildings or Improvements are actually begun.

And whereas through a Difficulty, and almost Impossibility of Specifying or Giving in a Particular Account before-hand of the Intended Repairs of an Old House, and also, from an Apprehension that the said Statute of the Twelfth of King George the First, Extended only to New Buildings or other New Improvements, Intended to be Made, several Old and Ruinous Houses and Out-Houses on Demesne and Glebe Lands, have been Repaired without giving in such an Account in Writing, and a Doubt having Arisen, whether an Archbishop, Bishop, or other Ecclesiastical Person, that hath Repaired an Old and Ruinous House or Out-Houses, on his Demesne or Glebe-Land, without having Given to the Person or Persons, who by the said Acts are Impowered to give them a Certificate, such an Account in Writing, as by

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the said Recited Acts or any of them, is Directed, is to have such Encouragement, and be paid such Sum or Sums of Money as he would be Intitled to, if such Account in Writing, as by the said Acts or any of them is Directed, had been given in; For Clearing which Doubts, and Avoiding the Suits that may arise thereupon, and for the better Execution of the said Acts;

Be it Declared and Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for the Chief Governor or Governors of this Kingdom, for the Time being, and every Archbishop and Bishop respectively, to Grant a Commission, as by the said Acts or any of them, is respectively Directed, to Two or more Persons to View and Examine all Repairs heretofore Made of any Old and Ruinous Houses, Out-Houses or Buildings on any Demesne, Glebe or Mensal Lands, since the Passing the said Acts or any of them, and to Return a True, Just and Faithful Account and Estimate of such Repairs, Pursuant to, and under the Regulations and Restrictions in the said Acts, and on such Return, it shall and may be Lawful, to and for the Chief Governor or Governors of this Kingdom, and the said Archbishops and Bishops respectively, to Grant a Certificate, as by the said Acts or any of them is Directed, according

according to the Value Reported by such Commissioners, or for any lesser Sum than shall be so Returned by the said Commissioners, if to the said Chief Governor or Chief Governors, Archbishops or Bishops respectively, it shall seem meet, although no such Account in Writing, as by the said Act of the Twelfth of His late Majesty King George, is Mentioned, was Delivered in to the Person or Persons Impowered by the said Acts or any of them, to Grant such Certificate Previous to the Beginning such Repairs, which Certificate so to be Granted, Pursuant to this Act, shall be as Good and Valid, to all Intents and Purposes, as if such Account in Writing had been given in Pursuant to the said former Acts or any of them, and shall Intitle the Person Obtaining the same, his Executors or Administrators, and also, the Successor and Successors of the Person Obtaining the same, their Executors and Administrators respectively, to Receive and Recover such Proportion of the Sum so Certified to have been Laid out, from such Person or Persons, and in such Manner, and by such Ways and Means, as any other Certificate Granted in Pursuance of the said Acts or any of them, might have done, and that such Certificate shall, to all Intents and Purposes, be as good and Valid for the Recovery of the Sum Certified, and the respective Proportions

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thereof, to be Paid by the First, Second and Third Succeſſor of the Perſon that Obtained ſuch Certificate, as if a Previous Account in Writing as aforeſaid, had been Given and Delivered in to ſuch Perſon or Perſons, as by the ſaid Acts or any of them, are Impowered to Grant ſuch Certificate, and that for the Future, an Account in the General, of the Houſe Out-Houſes or other Buildings, and the ſeveral Parts thereof Intended to be Repaired, and of the Sum Intended to be Laid out in ſuch Repairs, ſhall be Delivered in to the Perſon or Perſons Impowered to Grant ſuch Certificate, one Fortnight before ſuch Repairs are begun, Provided this ſhall not Extend to Annual Neceſſary Repairs.

And whereas by an Act of Parliament paſſed in the Eleventh Year of His Preſent Majeſty's Reign, Intituled, An Act that all Proceedings in Courts of Juſtice, within this Kingdom, ſhall be in the *Engliſh* Language; There is a Clauſe which Excepts the Court of the Receipt of His Majeſty's Exchequer, with Regard to the Officers, Deputies and Clerks thereof, from Carrying on the Buſineſs by them Tranſacted, in the Engliſh Language;

Be it Enacted by the Authority aforeſaid, That from and after the Twenty fifth Day of March, in the Year One thouſand

land seven hundred and forty four, all Officers belonging to the Court of the Receipt of His Majesty's Exchequer, shall Make up and Engross the several Accounts, and all other Business Transacted in their respective Offices, in the English Tongue and Language, and not in Latin or French, or any other Tongue or Language whatsoever, and the same shall be Written or Printed in a Common Legible Hand, Character and Figures, and not in any Hand commonly called Court Hand. CHAP. VIII.

And Whereas the Statute now in Force in this Kingdom, Intituled, An Act to Prevent Unlawful Combinations of Workmen, Artificers and Labourers, Employed in the several Trades and Manufactures of this Kingdom, and for the better Payment of their Wages; as also, to Prevent Abuses in Making of Bricks, and Ascertain their Dimensions; Hath hitherto Proved Ineffectual, and hath been Notoriously Eluded:

And Whereas, notwithstanding the said Act, such Clubs and Societies, as are in the said Act Described, have been Formed and Carryed on, by great Numbers of Workmen, Artificers and others Concerned in the several Trades and Manufactures in this Kingdom; And likewise, several Clubs and Societies, Formed by Apprentices and Servants, who likewise Pretend and Take upon themselves to Frame Articles, Rules, Orders and By-

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Laws, for the Regulation of Apprentices and Servants, and for the Support and Maintenance of Apprentices (and for the Support and Maintenance of Idle and Disorderly Servants, and such who have been Discharged by their Masters or Mistresses, and are not in Service) and Collect Contributions, and Levy Sums of Money on the Members of such Clubs or Societies, and Inflict Punishments on such who do not Obey the Rules of such Clubs or Societies, by which Means great Disorders and Riots do, and may frequently happen, not only to the Prejudice of the Trade and Manufactures, but to the great Disturbance of the Peace of the Kingdom;

Be it therefore Enacted by the Authority aforesaid, That all Meetings and Assemblies, where Three or more Persons not Incorporated by Charter, Assemble or Meet together, and make any By-Law or Order, or give any Direction, any way relating to Journeymen, or Apprentices, or Servants, or for the Collection of Money for the Support of Journeymen, who do not Work at their several Trades, or of Apprentices, or of Servants who are out of Service, or under pretence of Providing for the Wives and Children of such Journeymen, Apprentices, or Servants, or for the Use of any Member or Members of such Societies, upon any pretence whatsoever,

ſoever, ſhall be Deemed, Adjudged and Taken, as unlawful Aſſemblies, and the Houſes where ſuch Perſons to the Number of Three or more uſually Meet, ſhall be Adjudged and Taken as Common Nuſances, and the Maſter or Miſtreſs of ſuch Houſe, if it be made appear that he or ſhe, knowingly permitted ſuch Aſſemblies, ſhall and may be Proſecuted by Preſentment or Indictment for ſuch Offence, and being thereof Convicted, ſhall be Puniſhed as thoſe who keep Common Bawdy-Houſes are by Law Puniſhable, and that from and after the Twenty fifth Day of March, which ſhall be in the Year of Our Lord, One thouſand ſeven hundred and forty four, all Perſons as well Journeymen, Apprentices and Servants, who Receive Wages, as others not Incorporated by Charter, who Enter into any Contract, Covenant or Articles, any way Relating to Journeymen, Apprentices or Servants, or who ſhall Collect or Pay any Sum or Sums of Money, for the Support of the Perſons Meeting in ſuch Clubs or Societies, being Convicted of ſuch Offence before Two or more Juſtices of the Peace, in the Manner by the ſaid Act Directed, and within the Time by the ſaid Act Limited, ſhall and may be Dealt with, and Puniſhed in ſuch Manner as by the ſaid Act is Directed; CHAP. VIII.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be

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lawful for such Justices, and they are hereby Required, upon any Information given them against such Person or Persons so Offending, to Issue Summons's to any Person or Persons to appear before them, as a Witness or Witnesses on such Prosecution, and in Case such Person or Persons so Summoned shall Refuse or Neglect to Appear before such Justices being duly Served with such Summons, such Person or Persons shall Forfeit for such Neglect or Refusal, the Sum of Forty Shillings to the Informer, to be Levied and Paid by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, of the said Justices, Rendering the Overplus to the said Offender or Offenders, and in Case no sufficient Distress can be found, that then such Justices are Required by Warrants under their Hands and Seals, to send the said Offender or Offenders to the Common Goal, there to remain without Bail or Mainprize, for the Space of One Month, unless such Offender or Offenders shall sooner submit to be Examined.

Provided allways, that nothing said by any Person or Persons who shall be Examined as a Witness on any such Indictment or before such Justices, shall be given in Evidence against such Person or Persons, who shall be so Examined on any Information or Indictment he may be Charged

Charged with, or before any Two Juſtices on this or the former Act. CHAP. VIII.

And be it further Enacted by the Authority aforeſaid, That in Caſe any Perſon or Perſons concerned in Employing any Artificer, Workmen, Servants, or Labourers, in any of the Trades or Manufactures of this Kingdom, ſhall pay any ſuch Artificer, Workman, Servant or Labourer ſo Employed, in any of the Trades or Manufactures aforeſaid, his, her or their Wages, or other Prite Agreed on, or any Part thereof, either in Goods or by Way of Truck, or in any other Manner than in Ready Money, and ſhall be thereof lawfully Convicted upon the Oath or Oaths, of One or more Credible Witneſs or Witneſſes, before any Two or more Juſtices of the Peace for the County, City, Town or Place, where ſuch Offence ſhall be Committed, upon an Information Exhibited within three Kalendar Months after ſuch Offence commited, and which ſuch Juſtices are hereby Impowered and Required to Take, ſhall Forfeit the Sum of Ten Pounds, to be Paid to the Informer, and to be Levied by Warrant or Warrants of ſuch Juſtices for Diſtreſs and Sale of the Offenders Goods.

Provided allways, that it ſhall and may be lawful for any Perſon aggrieved by any Order or Orders to be made by any

CHAP. VIII.

Two or more Justices of the Peace, in Relation to Workmen or Artificers Wages, or Paying them in Truck instead of Money, to Appeal to the Justices of the Peace Assembled, at the next General Quarter-Sessions to be Holden for the County, City, Town or Place where such Order shall be made, who are hereby Impowered to Hear and Determine the same, and to Award Reasonable Costs to either Party who shall appear to be Aggrieved.

AN

CHAP. IX.

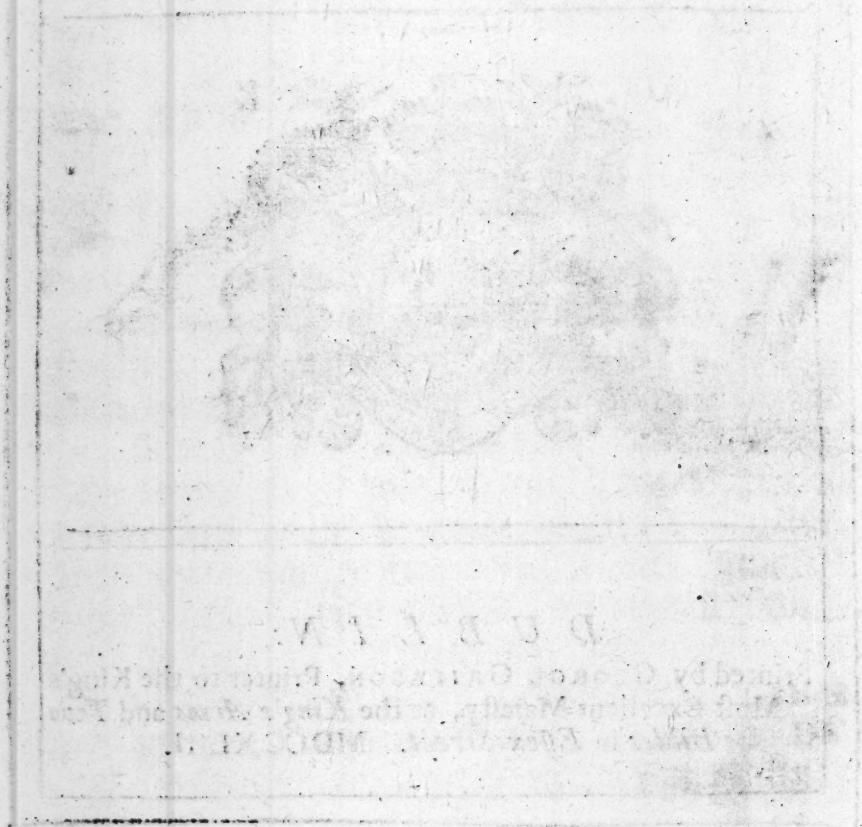
AN

ACT

FOR

Allowing further Time to Perſons in Offices or Employments, to Qualify themſelves, Purſuant to an Act, Intituled, *An Act to Prevent the further Growth of Popery.*

DUBLIN:
Printed by GEORGE GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street.* MDCCXLIII.



AN

ACT

FOR

Allowing further Time to Persons in Offices or Employments, to Qualify themselves, Pursuant to An Act, Intituled, *An Act to Prevent the further Growth of Popery.*

CHAP. IX.

WHEREAS several Persons well Affected to His Majesty's Government, and the Church of Ireland as by Law Established, may have through Ignorance Neglected, or been prevented by Sickness, or other Accidental Causes, from Taking and Subscribing the Oaths, and Making and Subscribing the Declaration, and from Receiving the Sacrament of the Lord's Supper, according to the Directions of An Act made in this Kingdom, in the Second Year of the Reign of Her late Ma-

CHAP. IX.

jesty Queen Anne, Intituled, An Act to Prevent the further Growth of Popery, and by their Inadvertancy may have Incurred great Penalties;

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this Present Parliament Assembled, and by the Authority of the Same, That all and every Person or Persons who have Incurred any Penalties and Incapacities in the said Act, Intituled, An Act to Prevent the further Growth of Popery, mentioned, by Neglecting to Qualify themselves according to the said Act, shall be, and are hereby Indemnified, Freed, and Discharged of and from all Incapacities, Disabilities, Forfeitures, and Penalties Incurred by Reason of such Omission or Neglect as aforesaid, and that no Act or Acts done by them, or any of them, or by Authority derived from them, or any of them, and not yet avoided, shall be Questioned or avoided by Reason of such Neglect or Omission, but all such Acts shall be, and are hereby Declared and Enacted to be as Good and Effectual as if all and every such Person and Persons had Taken and Subscribed the said Oaths, and Received the said Sacrament, and made and Subscribed the said Declaration in Manner as aforesaid, any Thing in the said Act to the contrary notwithstanding.

Provided

Provided such Person or Persons Do, and shall Take and Subscribe the said Oaths, and Receive the said Sacrament, and Make, Repeat and Subscribe the said Declaration, in such Manner and Form, and in such Place and Places, as are Directed and Appointed by the said Act, to Prevent the further Growth of Popery, on or before the First Day of August, which shall be in the Year of Our Lord, One thousand seven hundred and forty four.

Provided also, That this Act, or any Thing herein Contained, shall not Extend to Restore or Intitle any Person or Persons, to any Office or Employment, already actually Avoided by Judgment of any of His Majesty's Courts of Record, or already Filled up by any other Person, but that such Office or Employment, shall be and remain in the Person or Persons, who is or are now Intitled by Law to the same, as if this Act had never been made.

CHAP. X.

AN

ACT

To PREVENT the

PERNICIOUS PRACTICE

OF

Burning LAND,

AND FOR

The more Effectual Deſtroying of Vermin.

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DUBLIN:

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AN

ACT

FOR

PRUNICIOUS PRACTICE

OF

Burning LAND,

AND FOR

The more Effectual Deftroying of Vermin.

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CHAP. X.

AN

ACT

TO

Prevent the Pernicious Practice of Burning Land, and for the more Effectual Destroying of Vermin.

CHAP. X.

WHEREAS good Husbandry and Agriculture is greatly Obstructed, by the pernicious Practice of Burning Land;

And whereas many Tenants and Lessees, Contrary to their Express Covenants and in Breach thereof, do from Time to Time, Burn the Soil or Surface of the Earth, to the great Impoverishment of their Farms and Holdings, and Injury of the Owners of the Soil:

CHAP. X.

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Present Parliament Assembled, And by the Authority of the same, That from and after the Twenty Fifth Day of March, which shall be in the Year of Our Lord, One thousand seven hundred and forty four, no Person or Persons who now is, are, or shall at any time hereafter, be in the Possession or Enjoyment of any Land in this Kingdom, by Virtue of any Lease, Contract or Demise, nor any Person or Persons Claiming or Deriving, by, from or under, him, her or them, shall be Permitted or Suffered to Burn the Soil or Surface of the Earth, in or upon, any Part of any such Lands in his, her or their Possession, and that if any Possessor or Occupier of any Land, Sett, or Demised, or agreed to be Sett or Demised to any Person or Persons, shall at any Time from and after the said Twenty fifth Day of March, in the said Year, One thousand seven hundred and forty four, Burn the Soil or Surface of the Earth, or Cause or Permit the Soil or Surface of the Earth to be Burnt, in or upon, any Part of any such Land, in his, her or their Possession, or in the Possession or Occupation of any other Person, Deriving or Holding, under him, her or them, every Person so Offending, shall Forfeit the

the Sum of Forty Shillings, for every English Statute-Acre so Burnt, to be Recovered by the Person and Persons, and in Manner hereafter mentioned, (That is to say) if the Soil or Surface of any Land shall be Burnt or permitted to be Burnt, by the first Lessee or Lessees of such Land, his, her, or their Heirs, Executors, Administrators or Assigns, then the said Penalty of Forty Shillings for every English Statute-Acre so Burnt, shall and may be Recovered of such Offender or Offenders, by his, her or their, Lessor or Lessors, their Heirs, Successors and Assigns respectively, or by the Person or Persons who, for the Time being, shall be Intitled to the Rent or Reversion or Remainder of the said Premisses, and if the Soil or Surface of any Land shall be Burnt or permitted to be Burnt, by the Possessor or Occupier of such Land, Holding or Enjoying the same, by Lease or Contract, from the first Lessee or Lessees of such Land, his, her or their, Heirs, Executors, Administrators or Assigns, or from any Person or Persons Deriving or Holding, under them, any or either of them, then the said Penalty of Forty Shillings for every English Statute-Acre so Burnt, shall and may be Recovered of, and from such Offender or Offenders, by his, her or their, Immediate Lessor or Lessors, his, her or their, Heirs, Executors, Administrators or Assigns, unless such Immediate Lessor or Lessors, his, her or their, Heirs, Execu-

CHAP. X.

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tors, Administrators or Assigns, shall have Consented to such Burning, in which Case the said Penalty shall and may be Recovered by the next and Immediate Lessor or Lessors, his, her or their Heirs, Executors, Administrators, or Assigns, who shall not have Consented to such Burning, it being the Intent and Meaning of this Act, That neither the Original Lessor or Lessors, nor any Intermediate Lessor or Lessors, his, her, or their Heirs, Successors, Executors, Administrators, or Assigns, Consenting to such Burning, shall be Intitled to, or Recover the said Penalty, or any Part thereof, any Thing herein before contained to the Contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That the said Penalty shall and may be Recovered by the Person and Persons Intitled to the same, as aforesaid, by Civil Bill, before the Justice or Justices of Assize, at the Assizes to be Held for the County where such Offender usually Lives or Resides, or at the Quarter-Sessions to be Held for the County of Dublin, if such Offender usually Resides there, although the said Penalty should Exceed any the Sum or Sums of Money for which a Suit by Civil Bill may be now Commenced.

Provided allways, That such Suit be Commenced at the next Assizes or Quarter-

ter-Sessions as aforesaid, after such Lessor or Landlord, or the Agent Employed in Receiving the Rents of the Demised Premisses so Burnt, shall have Notice of such Burning, Except where the Notice of such Burning shall be so Near the Time of the next Assizes or Quarter-Sessions, that a Process cannot be Served Time enough for that Purpose; And as often as it shall so happen, then such Suit shall be Commenced at the Second Assizes or Quarter-Sessions next immediately after such Notice. CHAP. X.

Provided allways, That if the immediate Lessor or Lessors, of the Person or Persons, Burning any Land, or Permitting the same to be Burnt, or the Heirs, Executors, Administrators or Assigns, of such Immediate Lessor, or Lessors, shall Refuse or Neglect to Sue for the Penalty of Forty Shillings for every English Statute-Acre, which shall be Burnt, contrary to the true Intent and Meaning of this Act, within the Time herein before Limitted for that Purpose, or shall Fraudulently Sue for the Same, with Intent to Protect the Offender or Offenders from paying the said Penalty, then, and in such Case, it shall and may be Lawful, to and for the next Lessor or Lessors of such Land so Burnt, their Heirs, Executors, Administrators or Assigns, who shall not have Consented to such Burning, to Sue for

CHAP. X.

and Recover the said Penalty, at the next Assizes or Quarter-Sessions, after such Neglect or Default made, in such Manner, as the Person or Persons so Neglecting or Making Default, might have Sued for the same by this Act, any Thing herein before Contained to the Contrary notwithstanding.

And be it Enacted by the Authority aforesaid, That in all Cases where the Tenant or Tenants, or Lessee or Lessees, has or have Covenanted, or shall hereafter Covenant, not to Burn the Soil or Surface of the Earth, in or upon any Part of the Lands to him, her or them Demised, or Agreed to be Demised, under the Penalty of an Encrease of Rent, for every Acre so Burnt, or under any other Penalty, it shall and may be Lawful, for all Lessors or Landlords, their Heirs, Successors or Assigns, or for the Person or Persons, who, for the Time being, shall be Intitled to the Rent and Reversion, or Remainder of the said Demised Premisses, which shall be so Burnt, to Distrain for, or Sue for the Recovery of such Penalty, in such Manner as he, she or they may, for Rent Accrewed, or any other Debt, or to Sue for the same by Civil Bill, although the said Advanced Rent or Penalty, should Exceed any the Sum or Sums of Money for which a Suit, by Civil Bill, may be now Commenced

menced, at the Election of ſuch Leſſor or Leſſors, their Heirs, Succeſſors or Aſſigns, or of the Perſon or Perſons, who, for the Time being, ſhall be Intitled to the Rent and Reverſion or Remainder of the ſaid Demiſed Premiſſes. CHAP. X.

Provided alſo, That in Order to Aſcertain the Quantity of Ground Burnt contrary to the Intent and Meaning of this Act, and to Enable the Perſon or Perſons Intitled by this Act, or by Covenant in any Leaſe, the Eaſier to Recover the Penalties herein mentioned, it ſhall be Lawful for the Perſon or Perſons Intitled to the Penalty in this Act, or by Covenant in any Leaſe, or any other Perſon or Perſons Employed by him, her, or them, to Enter upon ſuch Land ſo Burnt, and to Survey the ſame; And if any Perſon ſhall hinder the Perſon or Perſons Intitled as aforeſaid, or thoſe Employed by him, her, or them, from taking ſuch Survey, he and they ſhall Forfeit to the Perſon or Perſons Intitled to the Penalties in this Act, or by Covenant as aforeſaid, Twenty Pounds, to be Recovered by Civil Bill, in the ſame Manner, and with the like Appeal as the other Penalties herein contained.

Provided allways, That when any Suit ſhall be brought by Civil Bill, for Recovering

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covering any the said Penalties, the Party or Parties who shall think him, her, or themselves Aggrieved by the Decree of the Justice or Justices of Assize or Quarter Sessions in the County of Dublin, may have like Remedy of Appeal to the next Assizes or Sessions, as is usual in Civil Bills.

And Whereas the Laws heretofore made for the Destroying of Vermin have proved Ineffectual;

For Remedy whereof, Be it Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of March One thousand seven hundred and forty four, any Person or Persons who shall Kill Otters, Weezels, Martins, Herons, Cormorants, Kites, Scall-Crows, Magpyes, Jays, Rooks, or Water Rats, commonly called Norway Rats, shall Receive the following Rewards, viz. For every Otter, Five Shillings; For every Weezel, Martin, Heron, Cormorant, or Kite, Six Pence; For every Scall-Crow, Magpye, or Jay, three Pence; And for every Rook, or Jack-Daw, One Penny; And for every Water Rat, commonly called Norway Rats, One Penny; which said several Sums, and no more, on Proof being made, by Affidavit before Two of His Majesty's Justices of the Peace of the County where such Vermin were Killed, and Producing the Heads of such Vermin

min, and also the Tails of the Rats) each and every Grand-Jury, at the General Assizes throughout this Kingdom, Shall, and are hereby Required to Present to be Levied on the County, and Paid to the Persons Intitled to the same, in the Usual Manner of other Presentments. CHAP. X.

Provided also, That this Act shall continue in Force for the Term of Two Years, and to the End of the then next Session of Parliament, and no longer.

Chap. X.

CHAP. III.

AN

ACT

For the FURTHER

IMPROVEMENT

OF THE

Hempen and Flaxen Manufactures, and to Encourage the Raiſing of Flax-Seed in this Kingdom.

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CHAP.
III.

AN ACT

for the Better

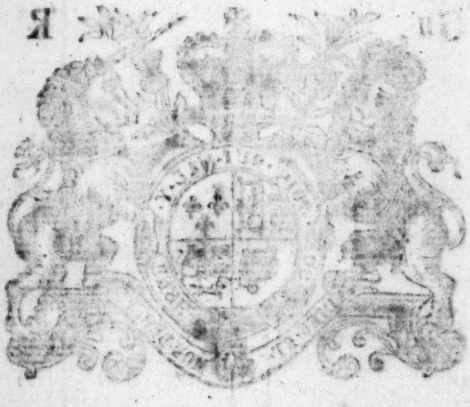
IMPROVEMENT

OF THE

Linen and Hempen Manufactures,

and to Encourage the Raising of

Flax-Seed in this Kingdom.



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AN

ACT

FOR

The further Improvement of the Hempen and Flaxen Manufactures, and to Encourage the Raiſing of Flax-Seed in this Kingdom.

CHAP. III.

WHEREAS the Raiſing of Flax-Seed and Flax in this Kingdom will greatly Increaſe the Linen Manufacture;

And whereas great Quantities of Flax-Seed and Flax are Imported every Year from Riga, and other Parts, whilſt as good might be Raiſed within this Kingdom, if duly Promoted and Encouraged:

Be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament Aſſembled, and by the Autho-

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rity of the ſame, That for the Space of Five Years from the Twenty fifth Day of December, which ſhall be in the Year of Our Lord, One thouſand ſeven hundred and forty three, and from thence to the End of the next Seſſion of Parliament, when good, Sound and Merchantable Flax-Seed of the Growth of this Kingdom, is or ſhall be put on Ship-Board at Dundalk, or any Port of this Kingdom Southward thereof, by any Merchant or other Perſon or Perſons, who ſhall make Oath before the Collector, Surveyor, or Land-Waiter of ſuch Port, who are hereby Impowered and Required to Adminiſter the ſame, That he to the beſt of his Skill and Knowledge, believes the ſaid Seed to be Sound and Good, and that no Præmium was ever Received thereon, and that the ſame is of the Growth of this Kingdom, the Collector of the Port where the ſaid Seed ſhall be put on Ship-Board as aforeſaid, ſhall on Oath made as aforeſaid, give without Fee or Reward, unto ſuch Perſon or Perſons as aforeſaid, a Certificate wherein ſhall be Expreſſed the Quantity of Seed ſo Shipped, and the Day of the Month, and Year when the ſame was Shipped, and that Oath has been made before him as aforeſaid, That then every ſuch Perſon or Perſons upon Landing the ſaid Seed in any Port of this Kingdom, Five Leagues or more Northward of the ſaid Port of Dundalk, and Delivering the ſaid Certificate

Certificate and making Oath before the Collector, Surveyor, or Land-Waiter of the Port, That the said Seed so Landed is the same Seed mentioned in the said Certificate, which Oath the Collector, Surveyor, or Land-Waiter of the Port, is hereby Impowered and Required to Administer, and upon Bond being given by every such Merchant or other Person in the Sum of Twenty Shillings for every Barrel of such Flax-Seed, and so in Proportion for every greater Quantity, that the said Seed is Good, Sound, and Merchantable Flax-Seed, of the Growth of this Kingdom, and shall not be Re-Landed or Sent into any Part of this Kingdom more South, than Five Leagues North of Dundalk, shall be Entitled to and Receive from the Collector of the Port where the same is Landed as a Præmium, the Sum of One Shilling for every Bushel so Landed, Clear and Free of all Duties Payable upon the Export of Flax-Seed, to be Paid by such Officer or Officers in such Manner as Drawbacks are usually Paid. CHAP. III.

And be it further Enacted by the Authority aforesaid, That when Good, Sound and Merchantable Flax-Seed, of the Growth of this Kingdom, is or shall be at Five Shillings per Bushell, or under, every Merchant or other Person, who shall put on Ship-board, to Export or Cause to be Exported, from the said Port of Dundalk, or

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any other Port of this Kingdom Southward of Dundalk, to any Port beyond the Sea, any Quantity of Flax-Seed, of the Growth of this Kingdom, shall bring a Certificate in Writing, under his or their Hand or Hands, containing the Quantity of Flax-Seed so Shipped, to the Farmers, Commissioners, Collectors, or other Persons Appointed, or to be Appointed for the Time being, to Collect the Duties and Rates within any such Port, and upon Oath made of the Truth of such Certificate, by any Credible Person, before any of the said Officers, who are hereby Impowered to Administer the same, and that the same is Good, Sound and Merchantable Flax-Seed, of the Growth of this Kingdom, and that no Præmium has been already Received for the Export of such Seed, and also, upon Bond given by every such Merchant or other Person, in the Sum of Twenty Shillings, for every Barrel of such Seed, and so in Proportion for any greater Quantity, that the said Seed is Good and Merchantable, of the Growth of this Kingdom, and the Danger of the Seas Excepted, shall be Exported into parts beyond the Seas, from the Port where such Seed shall be so Shipped, and shall not be Re-landed in any Part of this Kingdom; Every such Merchant, so Shipping of any Quantity of such Seed, making Oath, and giving Certificate and Bond, as aforesaid, shall have

and Receive, Clear and Free of all Duties Payable upon the Export of Flax-Seed, the Sum of One Shilling per Bushel, as a Præmium for every Bushel of such Seed, to be Paid by such Officer or Officers, and in such Manner as Drawbacks are usually Paid. CHAP. III.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of December, One thousand seven hundred and Forty three aforesaid, It shall and may be Lawful, to and for all and every the Justices of the Peace, for the several and respective Counties, from whence Flax-Seed shall or may hereafter be Exported; And they are hereby Enjoyned and Required, at every their Quarter-Sessions, to give in Charge, in open Court, to the Grand Jury there Assembled, to make Enquiry and Presentment upon their Oaths, of the Common Market-Price of Flax-Seed, as the same shall be commonly Bought and Sold in every such County, which Enquiry and Presentment, the said Grand Jury are hereby Impowered and Required to Make.

And be it further Enacted by the Authority aforesaid, That such Presentment shall be Made in open Court, and shall be Certified by the said Justices in Writing, to His Majesty's Chief Officer and Collector of the Customs for the Time being, Residing in every such Port, from whence such Flax-Seed may be Exported,

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and shall be Hung up in some Publick Place in the Custom-House, belonging to every such Port, to be Resorted to by all Persons for their Information.

Provided allways, That if the Grand-Jury in any County, shall Neglect to make such Presentment at any of their said Quarter-Sessions, in such Case no Præmium shall be paid within such County upon the aforesaid Exportation, until a Presentment shall be Made by the Grand-Jury of such County at their Quarter-Sessions, for Ascertaining the Price of Flax-Seed within the said County in Manner aforesaid.

And be it further Enacted by the Authority aforesaid, That from and after the Time, that a convenient Piece or Parcel of Ground, Lying and Being in the Shire or County-Town of any County within the Provinces of Leinster, Munster and Connaught, shall be Purchased, Conveyed, or otherwise Assured, with the Approbation of the Grand-Juries at the Assizes Held for such County, to any Person or Persons, his or their Heirs upon Trust, and to the Intent that a Publick Ware-House or Market-House should be Erected and built thereon, for the Lodging in, and Exposing to Sale any Flaxen or Hempen Yarn, Flax and Hemp, and Flax-Seed and Hemp-Seed, That then it shall and may be Lawful, to and for the Grand-Jury of such County, where such

rest, or Concerned in such Adjustment, shall fail to Appear at such Assizes where the said Appeal is Prosecuted, it shall and may be Lawful to, and for the Judges of Assize to Proceed therein, in such Manner, and to give the Person or Persons Appealing, such Relief, as if the Person or Persons Interested, or concerned in such Adjustment, had Appeared and made their Defence, and that in Case the Person or Persons so Appealing, shall fail to Prosecute the said Appeal, or that such Adjustment shall be Confirmed upon the Hearing of such Appeal, That then it shall and may be Lawful to and for such Judges of Assize, to Award such Costs to the Parties Interested in the said Adjustment, as they shall think Proper, not exceeding the Sum of Three Pounds. CHAP. XI.

And be it further Enacted by the Authority aforesaid, That in Case any Fact shall appear Doubtful to such Judges of Assize upon such Appeal, the same shall be Tried by a Jury to be Returned immediately, at the Prayer of the Party, or by the Discretion of such Judges, and that the said Judges of Assize shall upon the Verdict to be found on such Tryal, make such Decree as to them shall seem Meet, and that the Decree of such Judges of Assize shall be Final and Conclusive, to all Parties concerned in the said Adjustment and Salvage.

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Provided allways, And be it further Enacted by the Authority aforesaid, That in Case such Commander, Mariners or Owners, of the Vessel so Saved, or the Owner of the Goods so Saved, or any person Interested therein as aforesaid, or any person or persons Employed in such Salvage or having any Interest in such Adjustment, shall think Proper to Appeal as aforesaid, that the said Officer of the Customs or his Deputy, shall upon such Commander, Mariners or Owners of the Vessel so Saved, or the Owner of the Goods so Saved, or any person Interested therein, Depositing the Money Allotted by the said Justices of the Peace, or giving sufficient Security by Two able and sufficient persons, Entering into an Obligation payable to such Officer of the Customs in the Penalty of Double the Sum in such Adjustment, with Condition in Case such Appeal shall be brought by such Commander, Mariner, or Owners, of the Vessel so Saved, or the Owner of the Goods so Saved, or any person Interested therein to Prosecute such Appeal, and to pay such Sum and Sums of Money as shall be Decreed upon such Appeal, and such Costs as shall be Awarded thereon as aforesaid, or in Default of such Prosecution to pay the Sum and Sums of Money Contained in such Adjustment, and such Costs as shall be Awarded as aforesaid, And in Case such Appeal shall be brought by

by any of the Persons Employed in such Salvage, or having a Demand on Account of such Salvage, with Condition to pay such Sum and Sums as shall be Decreed upon the Hearing of such Appeal, or in Case that such Adjustment shall be Confirmed, or that such Appeal be not Prosecuted, such Sum and Sums of Money as are Allotted by said Adjustment, Deducting thereout such Costs as shall be Allowed upon the Confirmation of such Adjustment, or for the Non Prosecution of such Appeal, Deliver up such Ship and Goods to such Person or Persons Appealing, in the same Manner as if the Determination of the said Justices of the Peace had been fully Complyed with; Any Thing in the said Act of the Fourth Year of the Reign of His late Majesty King George the First, Contained to the Contrary thereof in any wise notwithstanding. CHAP. XI.

And be it Enacted by the Authority aforesaid, That if, upon an Appeal to be Preferred by Vertue of this Act, there shall be any Costs Awarded to such Commander, Mariner or Owners of the Vessel so Saved, or the Owner of the Goods so Saved, or any Person Interested therein, that such Costs shall be Allowed and Deducted out of the Adjustment so Appealed from.

And be it Enacted by the Authority aforesaid, That in Case any Matter shall,

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upon the Hearing of any Appeal, by the Lord Lieutenant, Lord Deputy, or other Chief Governor or Governors, and Privy Council of Ireland, Appear Doubtful to them, it shall and may be Lawful, for them to Direct an Issue Concerning such Matters, to be Tryed in any of His Majesty's Courts of Record at Dublin, or before the Justices of Assize for the County where such Vessel or Goods have been so Saved, and upon Return thereof, Make such Decree as to them shall seem meet, which shall be Binding and Conclusive to all Parties.

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CHAP. XII.

AN

ACT

TO

Oblige Ships coming from Places Infected more Effectually to perform their Quarantine, and for the better Preventing the Plague being brought from Foreign Parts into *Ireland*, and to hinder the Spreading of Infection.

G. II. R.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Most Excellent Majesty, at the *King's-Arms* and *Two Bibles* in *Essex-Street*, MDCCXLIII.

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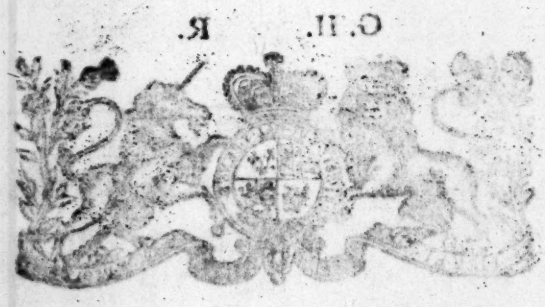

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WHEREAS it is neceſſary that ſome Proviſion be made by Parliament, for Obliging Ships and Perſons coming from Places Infected with the Plague to perform Quarantine, in ſuch Manner as hath been or ſhall be Ordered by His Majeſty, His Heirs or Succeſſors, and for Puniſhing Offenders therein, in a more Expeditious manner than can be done by the Ordinary Methods of Law, and for Preventing the Spreading of Infection;

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Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the Same, That when any Country or Place is, or shall be Infected with the Plague, all Ships and Vessels Arriving, and all Persons, Goods, and Merchandizes whatsoever, Coming or Imported in such Ships or Vessels, in, or into any Port or Place within the Kingdom of Ireland, from any Place so Infected, or from any Place the Inhabitants whereof are known to Trade or Correspond with any Country or Place Actually Infected, or from any Place from whence the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, by and with the Advice of the Privy Council, shall Judge it probable that the Infection may be brought, shall be obliged to make their Quarantine in such Place and Places, for such Time, and in such Manner as hath been, or shall from Time to Time be Directed by the said Chief Governor or Governors of this Kingdom for the Time being, by His or Their Order or Orders, made by the Advice of the Privy Council, and Notified by Proclamation; And that until such Ships, Vessels, Persons, Goods, and Merchandizes shall have respectively performed, and be

be Diſcharged from ſuch Quarantine, no ſuch Perſon, Goods, and Merchandizes, or any of them, ſhall come or be brought on Shore, or go or be put on Board any other Ship or Veſſel in any Place within His Majeſty's Dominions, unleſs in ſuch Caſes, and by ſuch Licenſe, as ſhall be Directed or Permitted by ſuch Order or Orders, made by the Lord Lieutenant, or other Chief Governor or Governors, by the Advice and Conſent of the Privy Council, and Notified as aforeſaid, and that all ſuch Ships and Veſſels, and the Perſons, or Goods coming or Imported in, or going and being put on Board the Same, and all Ships, Veſſels, Boats, and Perſons, Receiving any Goods or Perſons out of the Same, ſhall be Subject to ſuch Orders, Rules, and Directions, Concerning Quarantine, and the Preventing of Infection, as have been, or ſhall be made by the ſaid Chief Governor or Governors of this Kingdom in Council, and ſhall be Notified by Proclamation as aforeſaid. CHAP. XII.

And to the End it may be better Known whether any Ship or Veſſel be Actually Infected with the Plague, or whether ſuch Ship or Veſſel, or the Mariners or Cargoe Coming or Imported in the Same, are liable to any Orders touching Quarantine;

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Be it Enacted by the Authority aforesaid, That when any Country or Place is, or shall be Infected with the Plague, and any Order or Orders is, are, or shall be made by the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, and Council, Concerning Quarantine and the Prevention of Infection, and Notified as aforesaid, as often as any Ship or Vessel shall Attempt to Enter into any Port or Place in this Kingdom of Ireland, the Principal Officer of His Majesty's Customs in such Port or Place, or such Person as shall be Authorized to see Quarantine duely Performed, shall go off, or Cause some other Person, to be by him Appointed for that Purpose, to go off to such Ship or Vessel, and such Officer, or other Person Authorized to see Quarantine Performed as aforesaid, or the Person so by him Appointed for that Purpose, shall, at a Convenient Distance from such Ship or Vessel, Demand of the Commander, Master, or other Person having Charge of such Ship or Vessel, and such Commander, Master, or other Person having Charge of such Ship or Vessel, shall, upon such Demand, give a True Account of the following Particulars, (That is to say) The Name of such Ship or Vessel, the Name of the Commander or Person having Charge thereof, at what Place or Places the Cargoe,

goe, and every Part of it, was taken on Board, what Place or Places the Ship or Vessel touched at in her Voyage, whether such Places, or any, and which of them, were Infected with the Plague, how long such Ship or Vessel had been in her Passage, how many Persons were on Board when the said Ship or Vessel set Sail, whether any, and what Persons during that Voyage, on Board such Ship or Vessel had been, or shall be then Infected with the Plague, how many died in the Voyage, and of what Distemper, what Ships or Vessels he, or any of his Ships Company, with his Privity, went on Board, or had any of their Company come on Board his Ship or Vessel in the Voyage, and to what Place such Ships or Vessels belonged, and also the true Contents of his Lading to the best of his Knowledge; And in Case it shall Appear, upon such Examination or otherwise, that any Person then on Board such Ship or Vessel shall, at the Time of such Examination, be actually Infected with the Plague, or that such Ship is Obliged to Perform Quarantine, in such Case it shall and may be Lawful, to and for the Officers of any of his Majesty's Ships of War, or any of His Majesty's Forts or Garrisons, and all other his Majesty's Officers whom it may Concern, upon Notice thereof given to them, or any of them respectively, and to

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and for any other Person or Persons, whom they shall Call to their Aid and Assistance, and they are hereby required to Oblige such Ship or Vessel to go and Repair to such Place as hath been, or shall be Appointed for Performance of Quarantine, and to Use all Necessary Means for that Purpose, be it by Fireing of Guns upon such Ship or Vessel, or any other Kind of Force or Violence whatsoever; And in Case any such Ship or Vessel shall come from any Place Visited with the Plague, or have any Person on Board Actually Infected, and the Commander, Master, or other Person having Charge of such Ship or Vessel, shall Conceal the Same, such Commander, Master, or other Person having Charge of such Ship or Vessel, shall be Adjudged Guilty of Felony, and Suffer Death, as in Cases of Felony, without Benefit of Clergy; And in Case such Commander, Master, or other Person having Charge of such Ship or Vessel, shall, upon such Demand made as aforesaid, not make a true Discovery in any other of the Particulars aforesaid, such Commander, Master, or other Person having Charge of such Ship or Vessel, for every such Offence shall Forfeit the Sum of Two hundred Pounds, One Moiety thereof to the King, His Heirs, and Successors, and the other Moiety to him or them who will Sue for the Same, by Action of Debt, Bill,

Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Dublin. CHAP. XII.

And be it further Enacted by the Authority aforesaid, That if any Commander, Master, or other Person having Charge of any Ship or Vessel liable to perform Quarantine, having Notice thereof, shall himself Quit, or shall knowingly permit or Suffer any Seaman or Passenger, coming in such Ship or Vessel, to Quit such Ship or Vessel by going on Shore, or by going on Board any other Ship, Boat or Vessel, before such Quarantine shall be fully performed, unless in such Cases, and by such proper Licence as shall be Directed or permitted by such Order or Orders, Made or to be Made, concerning Quarantine, and the Prevention of Infection, and Notified as aforesaid, or in Case any Commander, Master, or other Person having Charge of such Ship or Vessel, shall not, within convenient Time after due Notice given for that Purpose, by the proper Officer, Cause such Ship or Vessel, and the Ladeing thereof, to be Conveyed into the Place or Places Appointed for such Ship, Vessel, and Ladeing to perform Quarantine respectively, then, and in every such Case, every such Commander, Master, or other Person having Charge of such Ship or Vessel, for every such Offence, shall Forfeit the Sum of Five hundred Pounds, One Moiety

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thereof to the King, His Heirs and Succeſſors, and the other Moiety to him or them, who ſhall Sue for the ſame; And alſo, if any Perſon ſhall ſo Quit ſuch Ship or Veſſel, by going on Shore, or by going on Board any other Ship or Veſſel, Contrary to the true Meaning of this Act, it ſhall and may be Lawful, for all Perſons whatſoever, by Force and Violence, to Compel ſuch Perſon to Return on Board ſuch Ship or Veſſel, and every ſuch Perſon, ſo Quitting ſuch Ship or Veſſel, ſhall, for every ſuch Offence, ſuffer Impriſonment for the Space of Six Months, and ſhall alſo Forfeit the Sum of Two hundred Pounds, one Moiety to the King, His Heirs or Succeſſors, and the other Moiety to him or them that will Sue for the ſame, the ſame reſpective Penalties and Forfeitures to be Recovered by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record at Dublin.

And be it further Enacted by the Authority aforeſaid, That when any Country or Place, is or ſhall be Infected with the Plague, it ſhall and may be Lawful, to and for the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, by and with the Advice of the Privy Council, to order Ships to be Provided, or to cauſe Houſes or Lazarets for the Receiving and Entertaining of Perſons

Obliged

Obliged to Perform Quarantine as afore- CHAP. XII.
said, During such Time as they shall Continue Infected, or until they shall have Performed such Quarantine respectively, and also, Sheds, Tents, and other Places proper for the Depositing, Opening, and Airing of Goods and Merchandizes, Comprized within any such Order or Orders Made, or to be Made, and Notified as aforesaid, to be Provided or Erected, to Continue for such Time or Term, as the said Chief Governor or Governors of this Kingdom shall think proper and Direct, in Convenient Places, within any Part of Ireland, to be Allowed and Approved by Two or more Neighbouring Justices of the Peace for the County where the same shall respectively Lye, under their Hands and Seals, either in Waste Grounds or Commons, or where such Waste Grounds or Commons are not Sufficient in the several Grounds of any Person or Persons whatsoever, not being a House, Park, Garden, Orchard, Yard, or planted Walk or Avenue to a House, paying such Rate, Rent, or Consideration for the same, to the Persons Interested therein respectively, according to their several Interests in the same, as shall be Agreed on between the Persons so Interested, their Guardians or Trustees, and any Two Persons to be Appointed for that Purpose, by the Lord Lieutenant or other Chief Governor or Governors of this Kingdom, and in Case of any Dif-

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ference Concerning such Rate, Rent, or Consideration, between the Persons so Interested, their Guardians or Trustees, and such Persons, so to be Appointed by the said Chief Governor or Governors as aforesaid, the Justices of the Peace at the next General Quarter-Sessions of the Peace, to be Held for such County wherein such Grounds shall Lye, shall and may Order the Sheriff to Impannel a Jury, and upon the Verdict of such Jury, Adjudge, Determine, Assess and Settle the same, and such Judgment and Determination shall be Final, and His Majesty, His Heirs and Successors, shall and may Hold and Enjoy such Ground for, and During all such Time and Term as the said Lord Lieutenant or other Chief Governor or Governors of this Kingdom, shall Judge Necessary for the Purposes aforesaid, paying for the same, such Rate, Rent, or other Consideration, as shall be Agreed upon, or Assessed and Adjudged as aforesaid.

And be it further Enacted by the Authority aforesaid, That the proper Officers Authorized to put in Execution such Orders, Made, or to be Made and Notified as aforesaid, shall, and they are hereby Impowered and Required, to Cause and Compel all Persons Obliged to Perform Quarantine as aforesaid, and all Goods and Merchandizes, Comprized within any such

such Orders Made, or to be Made and Notified as aforesaid respectively, to Repair, or be Conveyed to some of the said Ships, Houses or Lazarets, Sheds, Tents, or other Places Provided as aforesaid, According to such Order or Orders Made, or to be Made and Notified as aforesaid. CHAP. XII.

And be it further Enacted by the Authority aforesaid, That if any Person Obliged to Perform Quarantine as aforesaid, shall Willfully Refuse or Neglect to Repair, within Convenient Time after due Notice for that Purpose given to him, her or them, by the Proper Officer to the Ship, House, Lazaret or other Place duely Appointed for him, her or them, or having been Placed in such Ship, House or Lazaret, or other Place, shall Escape, or Attempt to Escape out of the Same, before Quarantine fully Performed, it shall and may be Lawful, to and for the Watchmen and other Persons, Appointed to see Quarantine Performed, by any Kind of Violence that the Case shall Require, to Compel every such Person so Refusing or Neglecting as aforesaid, and every such Person, so Escaping or Attempting to Escape as aforesaid, to Repair or Return into such Ship, House, Lazaret, or other Place so Appointed for him or her as aforesaid; And every such Person, so Refusing or Neglecting to Repair, within Convenient Time after such Notice as a-

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foresaid, into such Ship, House, Lazaret or other Place Appointed for him or her as aforesaid, and also, every Person actually Escaping as aforesaid, shall be Adjudged Guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

And be it further Enacted by the Authority aforesaid, That if any Person, not Infected with the Plague, nor Liable to Perform Quarantine, shall Presume to Enter any Ship, House, Lazaret or other Place so Appointed as aforesaid, whilst any Person or Persons Infected with the Plague, or being under Quarantine, shall be therein, and shall Return or Attempt to Return from thence, unless in such Cases, and by such Licence as shall be Directed or Permitted by such Order or Orders, Made or to be Made, and Notified as aforesaid, it shall and may be Lawful, to and for the Watchmen, or other Persons Appointed to Guard or Secure such Ship, House, Lazaret or other Place so Appointed as aforesaid, by any Kind of Violence that the Case shall Require, to Compel such Person, so Returning or Attempting to Return, to Repair into some Ship, House, Lazaret, or other Place so Appointed as aforesaid, there to Continue and Perform Quarantine; And in Case such Person shall actually Escape out of such Ship, House, Lazaret or other Place where

where he or she shall be so placed for Performance of Quarantine, before he or she shall have fully performed the same, he or she shall be Adjudged Guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy. CHAP. XII.

And be it further Enacted by the Authority aforesaid, That if any Officer or Officers of His Majesty's Customs, or any other Officer or Officers, Person or Persons whatsoever, to whom it doth or shall Appertain, to Execute any Order or Orders, Made, or to be Made, Concerning Quarantine, or the Prevention of Infection, and Notified as aforesaid, or to see the same put in Execution, shall be Guilty of any Wilful Breach or Neglect of his or their Duty, in that Behalf, every such Officer and Person so Offending, shall Forfeit his Office or Employment in the Customs, or other Office or Employment, and shall become from thenceforth, Incapable to Hold and Enjoy the same, or to Take a New Grant thereof, and shall also Forfeit the Sum of One hundred Pounds, One Moiety thereof to the King, His Heirs and Successors, and the other Moiety to him or them, who shall or will Sue for the same by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at Dublin.

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And whereas Cotton, Skins, Human Hair, and Certain other Species of Goods and Merchandizes, are more especially Lyable to Retain Infection, and may be brought from Places Infected into other Countries, and from thence Imported into His Majesty's Dominions, in Ships not Obliged to perform Quarantine.

Be it Enacted by the Authority aforesaid, That when any Foreign Country or Place is or shall be Infected with the Plague, all such Goods and Merchandizes as are or shall be particularly Specified for that purpose, in any Order or Orders Made or to be Made concerning Quarantine, and the prevention of Infection and Notified as aforesaid, which shall be Imported into any part of the Kingdom of Ireland, from any Foreign Country or Place in any Ship or Vessel whatsoever, shall be Subject and Lyable to such Order or Orders, Made or to be Made concerning Quarantine, and the prevention of Infection and Notified as aforesaid.

And be it further Enacted by the Authority aforesaid, That after Quarantine shall have been duly performed by any Ship or Vessel, Person or Persons Obliged to perform Quarantine, according to such Order or Orders Made and Notified as aforesaid, and this Act, and upon Proof to be Made by the Oaths of the Master or other

other Perſon having Charge of ſuch Ship or Veſſel, and of Two of the Perſons belonging to ſuch Ship or Veſſel, or upon Proof to be made by the Oaths of Two or more Credible Witneſſes, before the Cuſtomer, Comptroller or Collector of the Port, where ſuch Quarantine ſhall be Performed, or the next Port thereunto, or before any of their Deputies, or any Juſtice of Peace Living near to ſuch Port, or when ſuch Quarantine ſhall have been performed within the Kingdom of Ireland, (which Perſons are hereby Authorized and Required to Adminiſter ſuch Oath) That ſuch Ship or Veſſel and all and every ſuch Perſon and Perſons reſpectively have duly performed Quarantine as aforeſaid, and that the Ship or Veſſel and all and every ſuch Perſon and Perſons are free from Infection, then and in the ſaid reſpective Caſes, ſuch Cuſtomer Comptroller or Collector, or any of their Deputies, together with the ſaid Juſtice of the Peace as aforeſaid reſpectively, are hereby Required to give a Certificate thereof, and thereupon ſuch Ship or Veſſel and all and every ſuch Perſon and Perſons ſo having performed Quarantine, ſhall be Lyable to no further Reſtraint or Detention upon the ſame Account for which ſuch Ship or Veſſel, Perſon or Perſons ſhall have performed Quarantine as aforeſaid. CHAP. XII.

And be it further Enacted by the Authority aforeſaid, That the Officer before whom ſuch Oath ſhall be made, and by

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whom such Certificate shall be given, shall for such respective Oath and Certificate, Demand or Take, no Fee or Reward whatsoever.

Provided nevertheless, And be it Enacted by the Authority aforesaid, That all Goods, Wares, and Merchandizes, Imported in any Ship or Vessel coming from a Place Infected, or on Board which any person shall be found Infected, shall, after Quarantine performed, be Opened and Aired, in such Place or Places, and for such Time, and in such Manner as shall be Directed by the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, by such Order or Orders to be Made and Notified as aforesaid, and after such Orders shall have been duly Complyed with, and Proof shall be made thereof, by the Oaths of Two or more Credible Witnesses before the Customer, Comptroller, or Collector of the Port, lying next to such Place or Places where such Goods, Wares, or Merchandizes shall have been Opened and Aired as aforesaid, or any of their Deputies and any Justice of the Peace Living near the same, (who are hereby Authorized and Required to Administer such Oath) upon Certificate and Return of such Proof by such Customer, Comptroller, or Collector, or any of their Deputies, and such Justice of the Peace as aforesaid, (who are hereby respectively Required to make such Certificate

ficate and Return, to the Commissioners of His Majesty's Revenue of Ireland) such Goods, Wares, and Merchandizes, shall be forthwith Discharged from any Restraint or Detention on the same Account, by Order of the said Commissioners or any Two of them, for every which Oath, Certificate and Order, no Fee or Reward whatsoever shall be Demanded or Taken. CHAP. XII.

Provided allways, And be it Enacted by the Authority aforesaid, That if any Officer or other Person shall Demand or Take any Fee or Reward whatsoever, for any such Oath, Order or Certificate to be Administred, or made in Pursuance of this Act, every Person so Offending shall Forfeit the Sum of One Hundred Pounds, One Moiety thereof to His Majesty, His Heirs and Successors, and the other Moiety to him or them who will Sue for the same, by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at Dublin, in which Cases Costs shall be allowed to either Party as in other Cases.

And be it further Enacted by the Authority aforesaid, That if any Officer or other Person Appointed to see Quarantine duly performed, or any Person placed or appointed as a Watchman upon any House, Lazaret, Ship, or other Place for performance of Quarantine in Pursuance

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of this Act, shall, Knowingly and Willingly, permit or Suffer, any person, Ship, Goods or Merchandizes, to Depart or be Conveyed, out of such House, Lazaret, Ship, or other Place respectively Appointed for performance of Quarantine, unless in such Cases and by such Lycence as are or shall be Directed or Permitted, by some Order or Orders Made, or to be Made and Notified by Proclamation as aforesaid, Then and in every of the said Cases, every such Officer and Persons so Offending, shall be Adjudged Guilty of Felony, and shall suffer Death as in Cases of Felony without Benefit of Clergy.

And whereas it is Notorious, that notwithstanding the many good Laws made to Prevent the Clandestine Importation of Customable and Prohibited Goods and Merchandizes, a pernicious Trade of that Kind is still Carried on, for the most part in Open Boats or Vessels of small Burthen, which Privately and in the Night, put into Creeks and Secret Places on the Coast, thereby Escaping the Observation of the Officers of the Revenue, which Practices may prove highly Detrimental to the Safety of this Kingdom, during a Time of Infection;

For Prevention thereof, Be it Enacted by the Authority aforesaid, That when any Part of Ireland, Great Britain, or the

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Isles of Guernsey, Jersey, Alderny, Sark, and Man, or any Part of France, Spain, Portugal, or the Low Countries, shall be Infected with the Plague, it shall and may be Lawful, to and for the Chief Governor or Governors of this Kingdom for the Time being, by His or Their Proclamation, to Prohibit and Restrain all Small Boats, and Vessels under the Burthen of Twenty Tons, from Sailing or Passing out of any Port or Place of Ireland, until Security be First given by the Master of every such Boat or Vessel respectively, to the Satisfaction of the Principal Officer of the Customs, or the Chief Magistrate of the Port or Place, from whence such Boat or Vessel shall Sail, by Bond taken to the King, His Heirs, or Successors, with sufficient Sureties in the Penalty of Twenty Pounds, with Condition, That if such Boat or Vessel shall not Go to, or Touch at any Country, Port, or Place to be Mentioned for that Purpose in such Proclamation; And if the Master, or other Person having Charge of such Boat or Vessel, and all and every Mariner and Mariners, Passenger and Passengers, going in such Boat or Vessel, shall, during the Time aforesaid, not go on Board any other Ship or Vessel at Sea, and if such Master, or other Person having Charge of such Boat or Vessel, shall not Permit or Suffer any Person or Persons to come

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on Board such Boat or Vessel at Sea, from any other Ship or Vessel, and shall not, during the Time aforesaid, Receive any Goods and Merchandizes whatsoever, out of any other Ship or Vessel, Then such Bond shall be Void, or to such Effect; For the making of which Bond, no Fee or Reward whatsoever shall be taken; And in Case any Boat or Vessel, for which such Security shall be Required by such Proclamation, shall set Sail, or Pass out of any Port or Place of Ireland before such Security be given as aforesaid, every such Boat or Vessel so Sailing, or Passing out of any Port or Place, contrary to the true Intent and Meaning of this Act, together with her Tackle, Apparel, and Furniture shall be Forfeited to the King, his Heirs, and Successors, and shall and may be Seized, Sued for, and Recovered in his Majesty's Court of Exchequer at Dublin, to the Use of his Majesty, his Heirs, and Successors, and the Master of, and every Mariner Sailing in any such Boat or Vessel, being thereof Lawfully Convicted, upon his or their Appearance, or Default upon the Oath or Oaths of One or more Credible Witness or Witnesses, by One or more Justice or Justices of the Peace, where such Offender shall be found (which Oath such Justice or Justices of the Peace are hereby Impowered and Required to Administer) shall Forfeit the Sum of

of Five Pounds, One Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish where such Offender shall be found, the Same to be Levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices before whom such Offender shall be Convicted as aforesaid, and for Want of Sufficient Distress, every such Offender shall, by such Justice or Justices, be Committed to Prison, there to Remain without Bail or Mainprize, for the Space of Three Months.

And to the End that all Persons may know how to Demean themselves in the Premisses;

Be it further Enacted by the Authority aforesaid, That when, and as often as the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, shall make any Order or Orders concerning Quarantine, and the Prevention of Infection, and Notify the Same by Proclamation as aforesaid, such Proclamation shall be Publickly Read upon the next Sunday after the Receipt of the Same, and the First Sunday in every Month afterwards, during the Time such Orders shall continue in Force, immediately after the Prayers, in all Parish Churches, and other Places set Apart for Divine Wor-

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ſhip, within ſuch Counties and Places as ſhall be Specified for that Purpoſe in ſuch Proclamation.

And whereas Certain Places in Foreign Parts, having for ſome Time paſt been, and ſtill Continuing to be Viſited with the Plague, it may be Judged Neceſſary, by the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, for Securing thereof from ſo Dreadful a Calamity, to Prohibit or Reſtrain the Commerce between His Majeſty's Subjects and thoſe of any other Country or Place which is or ſhall be Infected with the Plague:

And whereas it will be Requiſite to Enforce ſuch Prohibition or Reſtraint by Severe Penalties;

Be it therefore Enacted by the Authority aforeſaid, That it ſhall and may be Lawful, to and for the ſaid Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, by one or more Proclamation or Proclamations, to be Iſſued at any Time or Times before the Firſt Day of May, in the Year of Our Lord, One thouſand ſeven hundred and forty four, under the Great Seal of Ireland, to Prohibit or Forbid all and every Perſon and Perſons, to go from the Kingdom of Ireland, unto any Kingdom, Country

try or Place, which is or shall be Infected with the Plague, to be Specified in such Proclamation or Proclamations, and also, to Prohibit and Forbid, all and every Person and Persons, Bodies Politick or Corporate whatsoever, to Ship, Export, Carry or Send, or Cause or Procure to be Shipped, Exported, Carried, or sent Directly or Indirectly from, or out of the Kingdom of Ireland, unto any Kingdom, Country or Place, which is or shall be Infected with the Plague, to be Specified in such Proclamation or Proclamations, any Goods, Wares, Commodities or Merchandizes whatsoever, for and during such Time and Times, before and until the First Day of May, which shall be in the Year of Our Lord, One thousand seven hundred and forty four, as shall be Specified in such Proclamation and Proclamations, under the Penalties herein after Mentioned, and in such Manner and Form, and under such Regulations, as in and by such Proclamation and Proclamations respectively, shall be Prescribed. CHAP. XII.

And be it Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for the said Chief Governor or Governors of this Kingdom, by the same, or any other Proclamation or Proclamations, to be Issued at any Time or Times, before the said First Day of May, in the Year of Our Lord, One

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thouſand ſeven hundred and forty four, under the ſaid Great Seal, to Prohibit or Forbid, all and every Perſon and Perſons whatſoever, to Come or Paſs from any Kingdom, Country or Place, which is or ſhall be Infected with the Plague, to be Specified in ſuch Proclamation or Proclamations, into the Kingdom of Ireland; And alſo, to Prohibit or Forbid, all and every Perſon and Perſons, Bodies Politick and Corporate whatſoever, to Import or Bring, or Cauſe or Procure to be Imported or Brought, Directly or Indirectly into this Kingdom, any Goods, Wares, Commodities or Merchandizes whatſoever, from any Kingdom, Country or Place, that is or ſhall be Infected with the Plague, to be Specified in ſuch Proclamation or Proclamations, for and during ſuch Time and Times, before, or until the ſaid Firſt Day of May, in the Year of Our Lord, One thouſand ſeven hundred and forty four, as ſhall be Specified in ſuch Proclamation or Proclamations, under the Penalties herein after Mentioned, and in ſuch Manner and Form, and under ſuch Regulations, as in or by ſuch Proclamation or Proclamations reſpectively, ſhall be Preſcribed.

And be it further Enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who ſhall Export or Cauſe to be Exported, any Goods, Wares or

or Merchandizes, Contrary to the Tenor or true Meaning of any such Proclamation, and of this Act, shall Forfeit double the Value thereof, to be Ascertained and Recovered, as the Value of any Uncustomed or Prohibited Goods, is by Law to be Ascertained and Recovered. CHAP. XIII.

And be it Enacted by the Authority aforesaid, That if at any Time or Times, after the Issuing and Publishing such Proclamation or Proclamations respectively as aforesaid, any Person or Persons shall Visit, Go to, or Frequent any Kingdom, Country or Place, which is or shall be Infected with the Plague, Contrary to the Tenor or true Meaning of such Proclamation or Proclamations, and of this Act, then, and in every such Case, the Person so Offending, shall Forfeit the Sum of Five hundred Pounds, One Moiety thereof to His Majesty, His Heirs and Successors, and the other Moiety to him or them who will Sue for the same, by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at Dublin; And that, if at any Time or Times aforesaid, any Ship or Vessel, Person or Persons, Coming from any Kingdom, Country or Place, which is or shall be Infected with the Plague, shall Enter into, or any Goods, shall be Landed out of such Ship or Vessel, in any Port or Place within the King-

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dom of Ireland, Contrary to the Tenor or true Meaning of such Proclamation or Proclamations, and of this Act, every Person Offending therein respectively, and being thereof Lawfully Convicted, shall be Adjudged Guilty of Felony, and Suffer Death as a Felon, without Benefit of Clergy, and such Ship or Vessel, Goods or Merchandizes, so Actually Entring into, or being Landed in any such Port or Place, Contrary to the Tenor and true Meaning of any such Proclamation and of this Act, shall be Forfeited to His Majesty.

And Moreover, That all and every Person and Persons, who, after such Proclamation Issued, shall Cause or Procure any such Goods or Merchandizes to be Imported, Contrary to the Tenor and true Meaning of any such Proclamation, and of this Act, shall Forfeit Treble the Value thereof, to be Ascertained and Recovered, as the Value of any Uncustomed or Prohibited Goods, is by Law, to be Ascertained and Recovered, Two third parts whereof shall be to the Use of His Majesty, His Heirs and Successors, the Charge of Prosecution and Recovery being born by His Majesty, and the other Third part thereof to him or them who shall Seize, Inform or Sue for the same.

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Provided allways, and be it Enacted by the Authority aforesaid, That in every Proclamation to be Issued for Prohibiting Commerce from any Place or Places Infected with the Plague, pursuant to this Act, a reasonable Time shall be Allowed before the Prohibition, Declared by such Proclamation, shall Commence, Regard being had to the Distance of such Infected Place or Places, from Ireland, and to the Time within which Notice of such Proclamation may Arrive at such Infected Place or Places. CHAP. XII.

And be it further Enacted by the Authority aforesaid, That if any Action or Suit shall be Commenced against any Person or Persons, for any Thing done in Pursuance of this present Act, the Defendant or Defendants, in such Action or Suit, may Plead the General Issue, and give this Act, and the Special Matter, in Evidence at any Tryal to be had thereupon, and that the same was done in Pursuance, and by the Authority of the said Act, and if it shall Appear so to have been done, then the Jury shall find for the Defendant or Defendants; And if the Plaintiff shall be Non-Suited, or Discontinue his Action after the Defendant or Defendants shall have Appeared, or if Judgment shall have been given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall,

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and may Recover Treble Costs, and have the like Remedy for the same, as the Defendant or Defendants hath, or have in other Cases by Law.

Provided allways, And be it Enacted by the Authority aforesaid, That no Attainder of Felony, by Virtue of this Act, shall Extend to Work any Corruption of Blood, or Forfeiture of any Goods, Chattels, Lands, Tenements, or Hereditaments.

And be it further Enacted by the Authority aforesaid, That this Act, and the several Clauses and Provisoes therein contained (except so much thereof as Enables the Lord Lieutenant or Chief Governor or Governors of this Kingdom for the Time being, to Prohibit or Restrain Commerce between His Majesty's Subjects and those of any other Country or Place Infected with the Plague, and the several Powers, Provisoes, Penalties, Matters, and Things relating thereto) shall Commence and take Effect from and after the First Day of May, in the Year of Our Lord One Thousand seven hundred and forty four, And that the same shall continue in Force for the Space of Two Years, and from thence to the End of the then next Session of Parliament, and no longer.

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ACT

TO

Explain, Continue, Amend, and make more Effectual, An Act Intituled, *An Act for Repairing the High Road Leading from the Town of* Tomivarah, *in the County of* Tipperary, *to the Town of* Silver-mines, *as alſo to the Town of* Nenagh, *and from the ſaid Towns of* Nenagh *and* Silver-mines, *by* Shally-Orchard, *through the Town of* Tullo *in the ſaid County, to the City of* Limerick.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. MDCCXLIII.

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Explain, Continue, Amend, and make more Effectual, An Act Intituled, *An Act for Repairing the High Road Leading from the Town of* Tomivarah, *in the County of* Tipperary, *to the Town of* Silver-mines, *as alſo to the Town of* Nenagh, *and from the ſaid Towns of* Nenagh *and* Silver-mines, *by* Shally-Orchard, *through the Town of* Tullo *in the ſaid County, to the City of* Limerick.

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WHEREAS by An Act paſſed in the Eleventh Year of the Reign of His preſent Majeſty King George the Second, Intituled, An Act for Repairing the Road Leading from the Town of *Tomivarah*, in the County of *Tipperary*, to

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the Town of *Silver-mines*, as alſo, to the Town of *Nenagh*, and from the ſaid Towns of *Nenagh* and *Silver-mines*, by *Shally-Orchard*, through the Town of *Tullo*, in the ſaid County, to the City of *Limerick*; Several Tolls and Duties were Granted and made Payable for Repairing the ſaid Road, which ſaid Act was to Commence from the Firſt Day of May, in the Year of Our Lord, One thouſand ſeven hundred and thirty eight, and from thence to Continue in Force for and during the Term of Forty one Years:

And whereas the Truſtees Appointed to put the ſaid Act in Execution, have Borrowed the Sum of Five Thouſand Three Hundred and Fifty Six Pounds Seventeen Shillings and One Penny, on the Credit thereof, which is ſtill Unpaid and have Applied the ſame, together with the Tolls Collected by Virtue of the ſaid Act, in Amending and Repairing the ſaid Road, and great Progreſs hath been made in Repairing thereof, yet the ſame cannot be Effectually Amended and kept in ſufficient Repair, nor can the ſaid Sum of Five Thouſand Three Hundred and Fifty Six Pounds Seventeen Shillings and One Penny, or any other Sum that ſhall hereafter be Borrowed for the Uſe of the ſaid Road, be Repaid unleſs ſome other Proviſion be made for that Purpoſe, and it is of Abſolute neceſſity in Order to Repair and

and Amend the ſame Effectually, that the ſaid Road from Shally-Orchard, through the ſaid Town of Tullo, to the City of Limerick, be Erected into a Separate and Diſtinct Turn-pike, ſo as that a Toll be Collected and Received on that Part of the ſaid Road, Separate and Diſtinct from the Toll Collected or Received on the other Part of the ſaid Road, which Leads from the Town of Tomivarah, through the Towns of Silver-mines and Nenagh, to Shally-Orchard aforeſaid: CHAP. XIII.

Be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That the ſaid Recited Act and all and every the Powers and Authorities, Articles, Rules, Penalties, and Clauſes therein Contained, except ſo much thereof as is hereby Altered ſhall be of full Force and Effect, and ſhall Continue and be Executed during the Remainder of the ſaid Term of Forty one Years, and from and after the Expiration of the ſaid Term, for and during the further Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament, for the Intents and Purpoſes in the ſaid Act and hereafter Mentioned, as if the ſame Powers and Authorities,

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Granted and Given by the said Act, were herein again Repeated and Re-enacted, in the Body of this present Act; Any thing in the said former Act Contained to the Contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That the Persons Nominated and Appointed in and by Virtue of the said former Act, shall be Trustees for putting the said former Act, and this present Act, in Execution, and Vested with all the Powers and Authorities therein and herein given and Enacted, to all Intents and Purposes as if they had been named herein, with separate Powers to Erect Turnpikes, and Receive separate and distinct Tolls on that part of the said Road between said Shally-Orchard and the City of Limerick, as well as the like separate and distinct Tolls to be Received on that part of the said Road leading from Tomivarah through the Towns of Silver-Mines and Nenagh, to Shally-Orchard aforesaid, and that as different and distinct Turnpikes, with the like Power and Authority to Elect Trustees, and to Nominate, Appoint and Remove Receivers, Collectors, Overseers, and other Officers, during the Continuance of the said Recited and this present Act, in such Manner, as in and by the said former and this present Act are provided.

And

And be it further Enacted by the Authority aforesaid, That the said Trustees respectively, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them shall Authorize and Appoint, shall and may, from the First Day of May, in the Year of Our Lord One thousand seven hundred and forty four, for and during the Continuance of the said former and this present Act, Take and Receive in Lieu of the Tolls and Duties Collected by Virtue of the said former Act, on that part of the said Road which leads from said Town of Tomivarah through the Towns of Silver-Mines and Nenagh to Shally-Orchard aforesaid, the several and respective Tolls and Duties following, (that is to say) For every Coach, Berlin, Chariot, Calash, Chaise, or Chair drawn by Six Horses, Mares, or Geldings, the Sum of One Shilling and Six Pence; For every Coach, Berlin, Chariot, Chaise, Calash, or Chair drawn by Four Horses, Mares, or Geldings, the Sum of One Shilling; For every Coach, Berlin, Chariot, Calash, Chaise, or Chair drawn by Two Horses, Geldings, or Mares, the Sum of Eight Pence; For every Waggon, Wain, Cart, or Carriage with Four Wheels, the Sum of Ten Shillings; For every Cart or Carriage with Two Wheels, drawn by Two Horses, Mares,

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Geldings, Alles, or Mules, the Sum of Six Pence; For every Wain, Cart, or Carriage with Two Wheels, Drawn with Three or more Horles, Mares, Geldings, Alles, or Mules, the Sum of Five Shillings; For every Carriage, commonly called a Chair or Chaise, with one Horle, Mare, or Gelding, the Sum of Four Pence; For every Cart or other Carriage, having but one Horle, Mare, or Gelding, the Sum of Three Halfpence; For every Horle, Gelding, Als, or Mule, Laden or Unladen, and not Drawing, the Sum of Three Halfpence; For every Drove of Oxen, Colts, or Neat Cattle, the Sum of One Shilling and Eight Pence per Score, and in Proportion for any greater or leſſer Number; For every Drove of Calves, Hoggs, Sheep, Goats, or Lambs, Five Pence per Score, and ſo in Proportion for any greater or leſſer Number; And alſo the like Tolls and Duties on that Part of ſaid Road between ſaid Shally-Orchard and the City of Limerick, as Two ſeparate and diſtinct Turnpikes; Which ſaid reſpective Sum and Sums ſhall be Demanded and Taken reſpectively, in the Name of, or as a reſpective or Separate Roll or Rolls, and the Money ſo to be Raiſed and Collected, is, and ſhall be Veſted reſpectively in the ſaid Truſtees, (That is to ſay) All ſuch Sum and Sums of Money that ſhall be Collected and Raiſed at the Turnpikes,

Turnpikes, as well from Tomivarah to Shally-Orchard, as from Shally-Orchard to Limerick aforesaid, shall be Vested in the said Trustees, Subject and Liable to the Payment of the said Sum of Five thousand three hundred and fifty six Pounds, Seventeen Shillings, and One Penny, and Interest due, and growing due for the Same; And of such Sum and Sums of Money, and the Interest thereof, as shall be Borrowed for and towards the Repairing the said Roads, and the said respective Tolls, and every Part thereof, shall be Applied and Disposed of, to and for the several and respective Uses, Intents, and Purposes, and in such Manner as by the said former, and this present Act is Mentioned and Declared. CHAP. XIII.

Provided allways, and be it further Enacted by the Authority aforesaid, That all Costs and Charges Expended, or to be Expended, in or about Procuring or Passing of this present Act of Parliament, shall be first Discharged and Paid out of the Money or Tolls to be Collected by Virtue of this present Act.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, with any Coach, Berlin, Chariot, Calash, Chair or Chaise, Waggon, Wain, Cart, Carr or other Carriage, or Riding or Driving any Horse,

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Als, Mule, or any Sort of Cattle, shall go out of the said Road into any By-ways, to Avoid the Payment of the Toll by this present Act Appointed to be Paid, and shall be thereof Convicted, upon the Oath of One or more Witness or Witnesses, before the said Trustees, or any Seven or more of them, or before One or more Justices of the Peace for the County wherein such Offence shall be Committed, who are hereby Impowered and Required to Administer such Oath, such Person or Persons shall Forfeit and Pay, to the Trustees Appointed to put this Act in Execution, the Sum of Ten Shillings, to be Levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or under the Hands and Seals of the said Trustees, or any Seven or more of them, or such Justice or Justices, Rendering the Overplus to the Owner (if any be) the Charges in Taking and Disposing of said Goods being first Deducted.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for the said Trustees, or any Nine or more of them, at any Meeting to be Held by them, from Time to Time, as they shall see Convenient or think Fit, to Contract and Agree, by the Year or otherwise, with any Person or Persons, for the Farming and Letting the

the Tolls Arising by this Act, or any part thereof, for any Sum or Sums of Money, to be Paid by Monthly or Quarterly Payments, or oftner, to such Person or Persons, as shall be Appointed from Time to Time by the said Trustees, or any Nine or more of them, to Receive such Quarterly or other Payments, as shall be Contracted for after such Contract or Agreement shall be Made, so as such Contract or Agreement do not Exceed the Term or Space of Three Years. CHAP. XIII.

And be it further Enacted by the Authority aforesaid, That all the several and respective Tolls and Duties, hereby made Payable out of both the said Separate and Distinct Turnpikes, shall be Applied and Paid to the Discharge of the Interest of the said Sum of Five thousand three hundred and fifty six Pounds, Seventeen Shillings and One Penny, and of such other or further Sum or Sums, as shall be hereafter Borrowed for the Use of the said Roads, and towards the Repairing of the same, and that all the Surplus of the said Tolls and Duties hereby made Payable, over and above what shall be Sufficient to Discharge the Interest, and the several Salaries Payable, Pursuant to this and the said former Act, and for the Repair of the said Roads, and to Keep the said Roads in good Re-

CHAP. XIII.

pair, and Order, from Time to Time, shall be Applied respectively as aforesaid, towards the Discharge of the said Principal Sum of Five thousand three hundred and fifty six Pounds Seventen Shillings and one Penny, and such other and further Sums as shall hereafter be Borrowed as aforesaid, in such Manner as in and by the said former Act is particularly Mentioned.

Provided allways, And be it further Enacted by the Authority aforesaid, That if at any Time before the Expiration of the Terms in the said Former or this Present Act Mentioned, the High-Ways aforesaid, shall be Sufficiently Amended and Repaired, and shall be so respectively Adjudged by the Justices of the Peace for the Counties of Tipperary and Limerick, at their Quarter-Sessions, to be Holden in the said Several Counties, that then, from and after such Adjudication Made, and Repayment of all such Moneys, as have been or shall be Borrowed upon the Credit of the said Former or this Present Act, with Interest for the same, the Tolls and Duties hereby Granted and Made Payable, and all the Powers and Authorities in the said Former, or this Present Act Contained, shall respectively Cease and Determine any Thing in the said Former or this Present Act Contained to the Contrary, notwithstanding.

And

CHAP. XIII.

And be it further Enacted by the Authority aforesaid, That this Present Act shall be Deemed, Adjudged, and Taken to be a Publick Act, and shall be Judicially taken Notice of as such, by all Judges, Justices, and all other Persons whatsoever, without Specially Pleading the Same.

FINIS.

1242. i. 19.

K Coningsby.

THE CASE

Of the Right Honourable

Thomas Earl *Coningesby*,

IN

Relation to the Five Hundreds of *Kingſton*, *Bodenham*, *Burghill*, *Stretford* and *Cowarn* in the County of *Hereford*.

WILLIAM Duke of *Normandy*, when he attempted the Conqueſt of *England*, had with him *William Fitz Osborne*, who was his chiefeſt Aſſiſtant and his Marſhal: And at the ſame Time as Duke *William* conquer'd *England*, which was in the Year 1066. the ſaid *William Fitz Osborne* conquer'd the *Iſle of Wight*. And the ſaid Duke *William* becoming King of *England*, he not only ſuffered the ſaid *William Fitz Osborne*, To hold the *Iſle of Wight* as his own, but alſo created him Earl of *Hereford*, and gave him large Poſſeſſions in that County, conſiſting of ſeveral Caſtles, Manors, Hundreds, and other Things, particularly, the Caſtle of *Hereford*, and the Manor of *Hampton*, call'd *Hampton Richards*, now *Hampton-Court*, the Seat of the preſent Earl *Coningesby*, and alſo the Manors of *Marden* and *Lene* alias *King's Lene*, and the Services of 103 Men, within and without the City of *Hereford*, to hold *per Baroniam*.

That *William Fitz Osborne* was Earl of *Hereford*, and Owner of *Marden*, appears by *Domeſday-Book* fo. 179. (which mentions that Earl *William* alienated from this Manor one Rod and gave it to a Burgeſs of *Hereford*.)

And that he was Owner of *Lene* alſo appears by *Domeſday-Book* 179. which mentions that Earl *William* gave this Land to *Walter de Lacy*, *Dugdale's Baronage* fo. 66. ſays he was Earl of *Hereford*, and died in *March* 1070.

This

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